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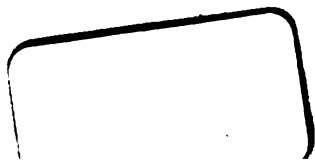
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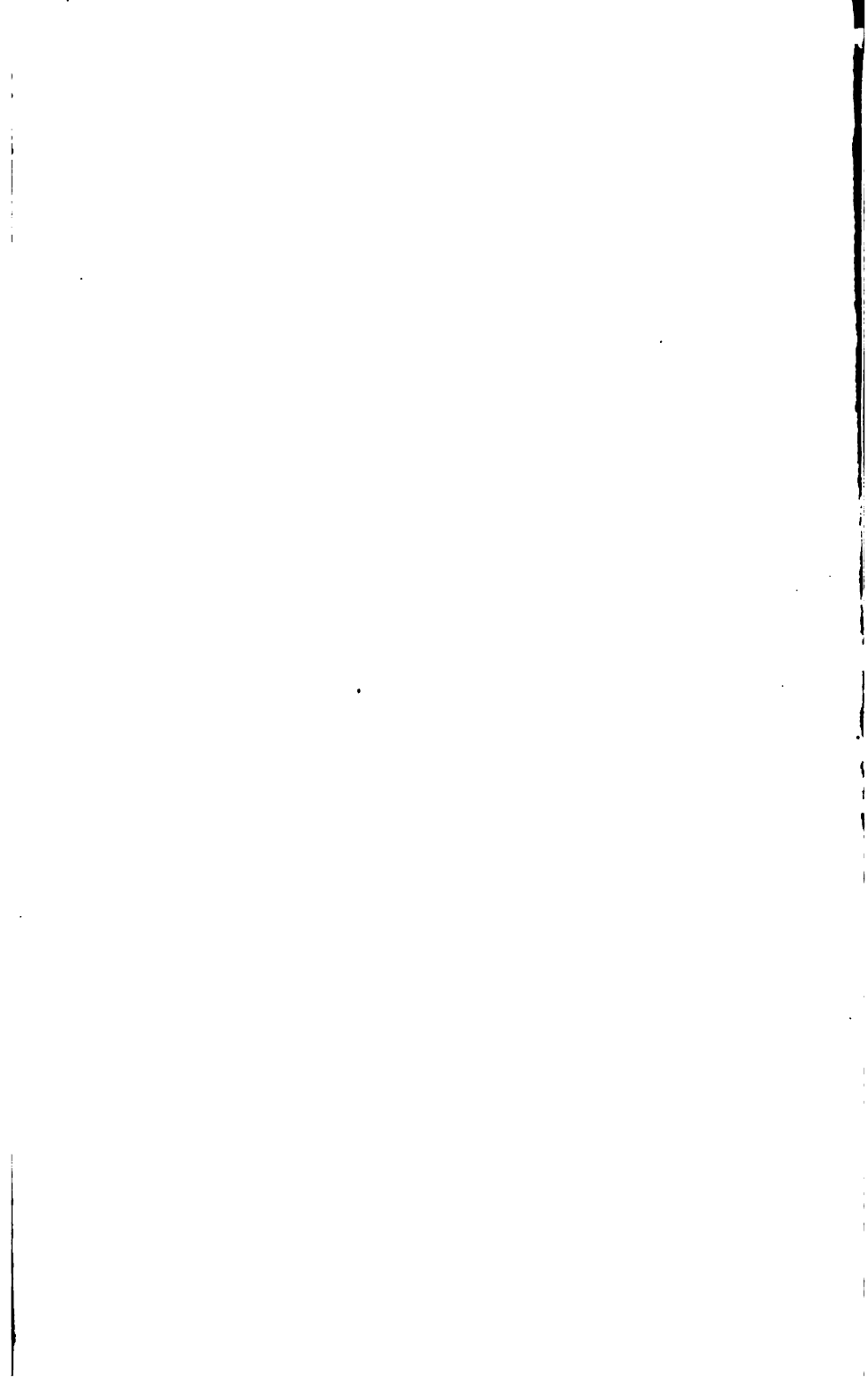
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THE
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OF
THE UNITED KINGDOM
OF
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ACTY

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A
T A B L E
Containing the TITLES of all
THE STATUTES,

Passed in the SEVENTH Session of the SEVENTH Parliament

OF

The United Kingdom of *Great Britain* and *Ireland*;

7 GEORGE IV.

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for

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DECLARED PUBLICK,

AND TO BE JUDICIALLY NOTICED.

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- iii. An Act for the Appropriation of Two Chapels as Chapels of Ease to the Parish Church of *Brighthelmston*, in the County of *Sussex*. Page 477
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- vi. An Act for lighting, watching, paving, cleansing and improving the Streets, Highways and Places within the Town and Borough of *Newport*, in the County of *Monmouth*. *Ibid.*
- vii. An Act for enlarging the Market House and regulating the Markets within the Borough of *Bridgwater*, in the County of *Somerset*; for paving, cleansing, lighting and watching the Streets, Lanes and other public Passages and Places within the said Borough or adjacent thereto, and for the Improvement thereof. *Ibid.*
- viii. An Act for lighting with Gas the several Townships of *Macclesfield*, *Sutton* and *Hurdsfield*, all in the Parish of *Prestbury*, in the County Palatine of *Chester*. *Ibid.*
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- xvii. An Act for making and maintaining a Turnpike Road from *South Shields* to *White Mere Pool*, and from thence to join the *Durham* and *Newcastle* Turnpike Road at *Vigo Lane*, with a Branch from *Jarrow Slake* to *East Boldon*, all in the County of *Durham*. 480

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- xix. An Act for making and maintaining a Turnpike Road, commencing at or near a certain House called *The Shrewsbury Arms*, situate at *Hinderton* in the Township of *Little Neston*, by way of *Upton*, and terminating in the Township of *Hoose*, and from *Upton* aforesaid to the Township of *Birkenhead*, and also certain Branches of Road to communicate therewith, all in the County Palatine of *Chester*. *Ibid.*

- xx. An Act for amending an Act of His present Majesty, for repairing the Road from *Sandon* in the County of *Stafford* to *Bullock Smithy* in the County of *Chester*, and from *Hilderstone* to *Draycot in the Moors*, and from *Wetley Rocks* to *Teau*, in the County of *Stafford*, so far as relates to the *Macclesfield* District of Road; and for making a Diversion of Road in the said District. *Ibid.*

- xxi. An Act for making and maintaining a Road from *Ridghill* and *Lanes*, in the Parish of *Ashton under Lyne* in the County Palatine of *Lancaster*, to or near to *Holehouse* in *Saddleworth* in the West Riding of the County of *York*. *Ibid.*

- xxii. An Act for repairing the Road from *Birmingham* to *Watford Gap*, in the Parish of *Sutton Coldfield* in the County of *Warwick*, and other Roads communicating therewith. 481

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- xxiv. An Act for more effectually repairing the Roads from *Littlegate*, at the Top of *Leadenham Hill*, in the County of *Lincoln*, to *Newark upon Trent*, and from *Newark upon Trent* to *Mansfield*, and from *Southwell* to the South End of the Town of *Oxton*, in the County of *Nottingham*. *Ibid.*

- xxv. An Act for repairing, widening and improving the several Roads leading to and from the City of *Exeter*, and for making certain new Lines of Road to communicate with the same; and for keeping in repair *Exe Bridge* and *Countess Wear Bridge*. *Ibid.*

- xxvi. An Act for more effectually repairing the Road leading from the Bounds of the Counties of *Limerick* and *Cork*, between the Towns of *Kilmallock* and *Charleville*, to the City of *Cork*. *Ibid.*

xxvii. An

- xxvii. An Act for more effectually repairing, widening and improving the Road from the City of *Norwich* to *Scole Bridge*, in the County of *Norfolk*. Page 482
- xxviii. An Act for more effectually repairing and improving the Road from the *Brighthelmston* Road at *Pyecombe* to *Warninglid Cross* in the Parish of *Cuckfield*, and from *Pyecombe* to the *Henfield* Road at *Poynings Common*, in the County of *Sussex*, and for making a new Road from *Warninglid Cross* to *Hand Cross* in the said County. *Ibid.*
- xxix. An Act for making and maintaining a Turnpike Road from *Wimpole* in the County of *Cambridge* to *Wrestlingworth* in the County of *Bedford*, and from *Wrestlingworth* to *Potton*, both in the said County of *Bedford*. *Ibid.*
- xxx. An Act for making and maintaining a navigable Canal from the *Peak Forest* Canal, in the Township of *Marple*, in the County Palatine of *Chester*, to join the Canal Navigation from the *Trent* to the *Mersey*, at or near *Harding's Wood Lock*, in the Township or Hamlet of *Talk*, or *Talk on the Hill*, in the County of *Stafford*. *Ibid.*
- xxxi. An Act to amend an Act for separating the Management of the Harbour of *Margate*, in the County of *Kent*, from the Paving and Lighting of the Town of *Margate*, and for vesting the future Management of the said Harbour in a Joint Stock Company of Proprietors. *Ibid.*
- xxxii. An Act to enable His Majesty to license a Playhouse within the Town and Port of *Ramsgate* in the Isle of *Thanet*, in the County of *Kent*. *Ibid.*
- xxxiii. An Act for the better and more effectually supplying with Water the Inhabitants of the several Parishes of *Saint Mary*, *Saint Lawrence* and *Saint Giles*, *Reading*, in the County of *Berks*. *Ibid.*
- xxxiv. An Act for embanking, draining and otherwise improving Lands in the Parishes of *Metherringham* and *Dunston*, in the County of *Lincoln*. 483
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- xxxvi. An Act for lighting with Gas the Town of *Burnley cum Habergham Eaves*, otherwise the Townships of *Burnley* and *Habergham Eaves*, within the Parish of *Whalley*, in the County Palatine of *Lancaster*. *Ibid.*
- xxxvii. An Act for lighting with Gas the Village of *Heywood*, within the Parish of *Bury*, in the County Palatine of *Lancaster*. *Ibid.*
- xxxviii. An Act for enabling the *Glasgow Gas Light Company* to raise a farther Sum of Money for the Use of their Works, and for other Purposes relating thereto. *Ibid.*
- xxxix. An Act for more effectually repairing and improving the Roads leading from *Pick's Hill*, near the Town of *Langport Eastover*, in the County of *Somerset*, through *High Ham*, *Ashcott* and other Places, to *Meare*, in the said County. *Ibid.*
- xl. An

- xl. An Act for making and maintaining a Turnpike Road from the Great North Road, at *Barnby Moor* in the County of *Nottingham*, to the Turnpike Road leading from *Bawtry* to *Tinsley* in the County of *York*, and from the said *Bawtry* and *Tinsley* Turnpike Road, at the North East End of *Blackhill Lane*, to the Town of *Rotherham*, in the said County of *York*. Page 483
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- xl.iv. An Act for making and constructing a Canal from the Town of *Alford* in the County of *Lincoln*, to the Sea, at or near the Village of *Anderby* in the same County, with a Basin, Harbour and Piers. *Ibid.*
- xl.v. An Act to alter and amend the *Edinburgh* and *Glasgow* Union Canal Acts, and to enable the Company to borrow a further Sum of Money. *Ibid.*
- xl.vi. An Act for making and maintaining a Railway or Tramroad from *Heck Bridge* in the Parish of *Snaith*, to *Wentbridge* in the Parish of *Kirkstheaton*, all in the West Riding of the County of *York*. *Ibid.*
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- xl.viii. An Act for making a Railway from *Arbuckle* and *Ballochney*, in the Parish of *New Monkland*, in the County of *Lanark*, to or near the Termination of the *Monkland* and *Kirkintilloch* Railway, at *Kipps* or *Kippbyres*, also in the said Parish of *New Monkland* and County of *Lanark*. 485
- xl.ix. An Act for making and maintaining a Railway or Tramroad from the Town of *Liverpool* to the Town of *Manchester*, with certain Branches therefrom, all in the County of *Lancaster*. *Ibid.*
- l. An Act for building a Church or Chapel of Ease in the Township of *Ripon*, in the West Riding of the County of *York*. *Ibid.*
- li. An Act for erecting and endowing a Church in the Parish of *Liverpool* in the County Palatine of *Lancaster*, to be called the Church of *Saint David*. *Ibid.*
- lii. An Act for providing an additional Cemetery in the Parish of *Liverpool* in the County Palatine of *Lancaster*. *Ibid.*
- lii.iii. An Act for further improving the Communication between the Counties of *Edinburgh* and *Fife* by the Ferries cross the *Frith*

Frith of Forth between Leith and Newhaven, and Kinghorn, Burnisland and Dysart. Page 485

- liv. An Act for extinguishing Tithes and Customary Payments in lieu of Tithes and *Easter Offerings* within the Parish of *Saint Giles Cripplegate*, in the Liberties of the City of *London*; and for making Compensation to the Vicar for the Time being in lieu thereof. *Ibid.*
- lv. An Act for erecting and providing a New Corn Exchange at or near *Mark Lane* in the City of *London*. 486
- lvi. An Act for better paving, lighting, cleansing, watching and otherwise improving the Borough of *Reading*, in the County of *Berks*. *Ibid.*
- lvii. An Act for widening and improving certain Streets in the Town of *Liverpool* in the County Palatine of *Lancaster*; for the further Prevention of Nuisances and Annoyances in the said Town; for the Regulation of Weighing Machines, Weights and Measures, and the Establishment of a Fire Police therein. *Ibid.*
- lviii. An Act for paving, lighting, watching, repairing and otherwise improving *Grosvenor Place*, and several Streets, Squares, Lanes and other Public Places now existing, and which shall hereafter be formed, upon certain Grounds in the several Parishes of *Saint George Hanover Square*, and *Saint Luke Chelsea*, in the County of *Middlesex*. *Ibid.*
- lix. An Act for building a Bridge over the River *Severn*, at or near *Holt Fleet*, in the Parishes of *Holt* and *Ombersley*, in the County of *Worcester*; and for making Approaches to such Bridge. *Ibid.*
- lx. An Act to authorise the building a Bridge in *Belvidere Road* in the Parish of *Saint Mary Lambeth*, in the County of *Surrey*. 487
- lxi. An Act for altering, amending and enlarging the Powers and Provisions of an Act relating to the *Tewkesbury Severn Bridge* and Roads. *Ibid.*
- lxii. An Act for building a Bridge over the River *Virniew*, near *Llanymynech*, and making Roads, Embankments and Approaches thereto, in the several Counties of *Montgomery*, *Salop* and *Denbigh*, on the Road leading from *Liverpool* to *Carmarthen*, and for several other Purposes relating thereto. *Ibid.*
- lxiii. An Act for the better ascertaining and collecting the Poor and other Rates in the Parish of *All Saints Wandsworth*, in the County of *Surrey*. *Ibid.*
- lxiv. An Act for better lighting and watching the Town of *Portsea*, in the County of *Southampton*; and for amending an Act passed in the Thirty second Year of His late Majesty, for paving, cleansing and regulating the Streets and Public Places within the said Town, and removing and preventing Nuisances and Annoyances therein. *Ibid.*
- lxv. An Act to amend an Act for opening a Street from the *Cross of Glasgow* to *Monteith Row*. *Ibid.*
- lxvi. An Act to alter, amend and enlarge the Powers of an Act of His present Majesty's Reign, for lighting with Gas the City of *Norwich* and County of the same City. *Ibid.*
- lxvii. An

- lxvii. An Act for placing certain Lands belonging to the Township of *Oldham*, in the Parish of *Prestwich cum Oldham*, in the County of *Lancaster*, under the Management of Trustees; and for making Conveyances thereof, at annual Rents, for the Benefit of the Poor of the said Township. *Page 487*
- lxviii. An Act for establishing and well governing the Institution called "The School for the Indigent Blind," and for incorporating the Subscribers thereto, and the better enabling them to carry on their charitable and useful Designs. *488*
- lxix. An Act for regulating and converting the Statute Labour in the County of *Kinross*, and for more effectually making and repairing the Highways within the said County. *Ibid.*
- lxx. An Act for more effectually repairing and otherwise improving the Road leading from *Maidenhead Bridge* to the Thirty three Mile Stone towards *Reading*, and from the said Road at the East Entrance on *Maidenhead Thicket* to the Thirty Mile Stone towards *Henley*, in the County of *Berks*. *Ibid.*
- lxxi. An Act for more effectually maintaining so much of the Road from *Richmond* in the County of *York* to *Lancaster* in the County of *Lancaster*, and from *Gilling* to the Turnpike Road on *Gatherley Moor*, as relates to the Western District of the said Road; and for altering and diverting certain Parts of the said Western District of the said Road. *Ibid.*
- lxxii. An Act for more effectually repairing the Roads from *Kirkby Steven High Lane Head*, through *Sedbergh*, to *Greeta Bridge*, and other Roads communicating therewith, in the several Counties of *Westmoreland*, *Lancaster* and *York*; and for diverting, extending and altering some of the said Roads. *Ibid.*
- lxxiii. An Act for repairing the Road from the Thirty three Mile Stone in the Parish of *Ruscombe* in the County of *Berks* towards *Reading*, to a Place called *The Seven Mile Stone* in the Parish of *Beenham* in the same County, and a certain other Road communicating therewith. *Ibid.*
- lxxiv. An Act for making and maintaining a Turnpike Road, leading out of the *Alstone* Turnpike Road at *Branch End* in the County of *Northumberland*, through *Catton*, *Allendale Town* and *Allenheads*, to *Cows Hill* in the County of *Durham*, with several Branches therefrom. *489*
- lxxv. An Act for more effectually amending, widening, altering, improving and maintaining the Road from the Town of *Alnwick* in the County of *Northumberland*, by *Eglingham* and *Chatton*, to the Great North Turnpike Road near to *Haggerston Toll Bar* in the County of *Durham*. *Ibid.*
- lxxvi. An Act for more effectually repairing the Roads between *Tyburn* and *Uxbridge*, and the Road leading from *Brent Bridge* over *Hanwell Heath* to the Great Western Road, and also for making and maintaining a Turnpike Road from the *Uxbridge* Road at *Shepherd's Bush Common* to the said Great Western Road near *Turnham Green*, all in the County of *Middlesex*; and for lighting, watching and watering the said Roads. *Ibid.*
- lxxvii. An Act for more effectually repairing so much of the Road from *Henley Bridge* to *Maidenhead Thicket* as lies between

tween the said Bridge and the Thirtieth Mile Stone from London, in the Parish of *Bisham*, in the County of *Berks*.

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lxxviii. An Act for making, maintaining and repairing certain Roads leading into and from the Town of *Tewkesbury*, in the County of *Gloucester*, towards the Cities of *Gloucester* and *Worcester*, and the Towns of *Cheltenham*, *Stow on the Wold*, *Evesham* and *Pershore*, and certain other Roads therein mentioned, in the Counties of *Gloucester* and *Worcester*. *Ibid.*

lxxix. An Act for more effectually repairing the Road from *Ashborne* in the County of *Derby* to *Leek* in the County of *Stafford*, and from *Ryecroft Gate* upon *Rushton Common* to *Congleton* in the County of *Chester*. 490

lxxx. An Act for making and maintaining a Turnpike Road from a Place called *Coxbridge*, near *Farnham* in the County of *Surrey*, to *Ramshill* near *Petersfield* in the County of *Southampton*. *Ibid.*

lxxxi. An Act for making and maintaining a Road from the Top of *Hunt's Bank* in the Town of *Manchester* in the County of *Lancaster*, to join the present *Manchester* and *Bury* Turnpike Road in *Pilkington* in the said County. *Ibid.*

lxxxii. An Act for more effectually repairing and improving the Road from *West Houghton* to near *Halliwell Field*, in the Township of *Heath Charnock* in the County of *Lancaster*. *Ibid.*

lxxxiii. An Act for making into a Turnpike Road a Road leading from the *Cross Gate* in the Parish of *Swineshead*, to the Southern Extremity of the Parish of *Fosdyke* in the County of *Lincoln*, and repairing and maintaining the same. *Ibid.*

lxxxiv. An Act for more effectually making, repairing and improving certain Roads leading to and from *Liskeard*, and certain other Roads therein mentioned, in the Counties of *Cornwall* and *Devon*. *Ibid.*

lxxxv. An Act for repairing the Roads from *Spalding High Bridge* to the Market Place in *Donington*, and from the Tenth Mile Stone in the Parish of *Gosbertown* to the Eighth Mile Stone in the Parish of *Wigtoft*, in the County of *Lincoln*. 491

lxxxvi. An Act for more effectually repairing the Road from *Flint* to the *Lower King's Ferry*, and for making and maintaining Two new Branches of Roads from the *Lower King's Ferry* aforesaid, to or near to the Town of *Mold*, all in the County of *Flint*. *Ibid.*

lxxxvii. An Act for more effectually amending and keeping in repair the Road called The *Hulton* Turnpike Road lying between *Knocket Wall Brook* and the *White Horse* in *West Houghton*, in the County Palatine of *Lancaster*. *Ibid.*

lxxxviii. An Act for amending, repairing and maintaining the Turnpike Road from the South End of the Town of *Rotherham* in the County of *York*, to the present Turnpike Road near *Pleasley* in the County of *Derby*. *Ibid.*

lxxxix. An Act for amending, repairing and maintaining the Turnpike Road from *Tinsley* in the County of *York* to the Town of *Doncaster* in the said County. *Ibid.*

xc. An Act for making a Turnpike Road from *Saint John's Chapel*, in the Parish of *Saint Mary le bone*, to the North East End of *Ballard's*

Ballard's Lane, abutting upon the North Road in the Parish of *Finchley*, with a Branch therefrom, in the County of *Middlesex*.

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- xc. An Act for more effectually repairing and improving the Road leading from *Paddington* to *Harrow on the Hill* in the County of *Middlesex*; and for making certain new Lines of Road to communicate with the same. 492
- xcii. An Act for more effectually repairing and improving several Roads leading to and from the Towns of *Newton Buskell*, *South Bovey* and *Moretonhampstead* in the County of *Devon*. *Ibid.*
- xciii. An Act for making and maintaining a Turnpike Road from *Gomersal* to *Deusbury* in the West Riding of the County of *York*, with Two Branch Roads therefrom. *Ibid.*
- xciv. An Act for enabling the Company of Proprietors of the *Leominster* Canal to raise further Sums of Money to discharge their Debts and to complete the Canal, and for amending the Acts for making and maintaining the said Canal, and for granting to the said Company further and other Powers. *Ibid.*
- xcv. An Act for making a navigable Canal from the *Staffordshire* and *Worcestershire* Canal, in the Parish of *Teitenhall* in the County of *Stafford*, to the United Navigation of the *Ellesmere* and *Chester* Canals, in the Parish of *Acton* in the County Palatine of *Chester*. *Ibid.*
- xcvi. An Act to amend an Act for making a Canal from *Counter's Bridge*, on the Road from *London* to *Hammersmith*, to the River *Thames*, in the County of *Middlesex*; and to enable the *Kensington* Canal Company to raise a further Sum of Money for the Completion of the said Canal. *Ibid.*
- xcvii. An Act for improving the Navigation of the River *Dun*, and for altering the Course thereof, by making certain new Cuts or Canals from the same; and for amending, altering and enlarging the Powers granted to the Company of Proprietors by several Acts now in force. 493
- xcviii. An Act for making and maintaining a Railway from *Edinburgh* to the South Side of the River *North Esk*, near *Dalkeith* and *Newbattle*, with Branches therefrom, all in the County of *Edinburgh*. *Ibid.*
- xcix. An Act for making and maintaining a Railway or Tram Road from *Manchester* to *Oldham*, with a Branch from *Fails-worth Pole* to or near to *Dry Clough* in the Township of *Royton*, all in the County Palatine of *Lancaster*. *Ibid.*
- c. An Act for making and maintaining a Tram Road or Railway from the End of the *Grosmont* Railway at *Monmouth Cap* in the Parish of *Llangua* in the County of *Monmouth*, to *Wye Bridge*, in the Parish of *Saint Martin*, within the Liberties of the City of *Hereford*. *Ibid.*
- ci. An Act for making a Railway from the Royal Burgh and Port of *Dundee* in the County of *Forfar*, to *Newtyle* in the said County. *Ibid.*
- cii. An Act for making and maintaining a Railway or Tram Road from or from near a certain Place called *Aber Dulais* to or near to a certain other Place called *Cwm Dulais*, both in the Parish of *Cadoxton juxta Neath* in the County of *Glamorgan*. *Ibid.*
- cii. An

- ciii. An Act for making a Railway from the *Monkland and Kirk-intilloch* Railway, by *Garnkirk*, to *Glasgow*. Page 493
- civ. An Act for raising Money for building a Crypt and Tower to the additional Church erecting in the Parish of *Saint Mary Magdalen Bermondsey* in the County of *Surrey*; for vesting the said Church and the Burial Ground thereof in Trustees; and for other Purposes relating thereto. *Ibid.*
- cv. An Act to alter and amend several Acts made in the Twenty eighth, Thirty eighth, Thirty ninth, Forty fifth, Forty seventh and Fifty third Years of the Reign of His late Majesty, for enlarging and improving the Harbour of *Leith*; and to appoint Commissioners for the Superintendence and Management of the said Harbour and Docks, and for other Purposes connected therewith. 494
- cvi. An Act for constructing a Bridge across *Sutton Wash*, otherwise called *Cross Keys Wash*, between the Counties of *Lincoln* and *Norfolk*. *Ibid.*
- cvi. An Act for widening and improving the Bridge of *Irvine*, for making Streets communicating thereto, and for more effectually enlarging, deepening, improving and maintaining the Harbour of *Irvine*, in the County of *Ayr*. *Ibid.*
- cvi. An Act for more effectually supplying the City of *Edinburgh* and Places adjacent with Water; and for supplying the Town and Port of *Leith* and Places adjacent, and His Majesty's Dock Yards at *Leith*, with Water. *Ibid.*
- cix. An Act for supplying with Water the Town and Neighbourhood of *Birmingham* in the County of *Warwick*. *Ibid.*
- cx. An Act for better supplying the Inhabitants of the City of *Chester* with Water. *Ibid.*
- cx. An Act for better supplying with Water the Inhabitants of the Town of *Nottingham* and its Vicinity. *Ibid.*
- cxii. An Act for lighting the Royal Burgh of *Inverness*, Suburbs thereof and Places adjacent, with Gas, and supplying the same with Water. *Ibid.*
- cxiii. An Act for amending and enlarging the Powers of an Act passed in the Seventeenth Year of the Reign of His late Majesty, for the better Relief and Employment of the Poor of the Parish of *Saint Mary Abbots Kensington* in the County of *Middlesex*, and for other Purposes therein mentioned; and for better regulating the said Parish. 495
- cxiv. An Act to amend an Act of the Thirty ninth Year of His late Majesty, for the better Relief and Employment of the Poor of the Parish of *Saint Bridget*, otherwise *Saint Bride, Fleet Street*, in the City of *London*. *Ibid.*
- cxv. An Act to explain and amend an Act of the Third Year of the Reign of His present Majesty, intituled *An Act for watching, cleansing and lighting the Streets of the City of Edinburgh and adjoining Districts*; for regulating the Police thereof; and for other Purposes relating thereto. *Ibid.*
- cxvi. An Act for extinguishing Tithes and Customary Payments in lieu of Tithes within that Part of the Parish of *Saint Botolph without Aldersgate* which is situate in the City of *London*, and for making Compensation in lieu thereof; and for increasing the Provision for the Incumbent of the same Parish. *Ibid.*

- cxvii. An Act for paving, watching, lighting, cleansing and improving the Township of *Oldham* in the County *Lancaster*, and for regulating the Police thereof. *Page 495*
- cxviii. An Act for lighting, cleansing, watching and otherwise improving the Streets, Lanes and other public Passages and Places within the Town of *Stockport* in the County Palatine of *Chester*, and for regulating the Police of the said Town. *Ibid.*
- cxix. An Act for regulating the Police of the Burgh of *Anderston* and Lands of *Lancefield* and others adjoining the said Burgh, in the County of *Lanark*, paving, cleansing and lighting the Streets and Passages of the said District, and for erecting a Court House and Gaol therein. *496*
- cxx. An Act for paving, lighting, watching, cleansing and improving the Town and Parish of *Sunderland near the Sea* in the County of *Durham*; for removing the Market; and for otherwise improving the said Town. *Ibid.*
- cxxi. An Act for better paving, lighting, regulating and improving the Parish of *Saint George Hanover Square*, within the Liberty of the City of *Westminster*. *Ibid.*
- cxixii. An Act for more effectually draining and preserving certain Marsh Lands or Low Grounds in the Parishes of *Sandhurst, Newenden, Roloenden, Tenterden, Wittersham, Ebony, Woodchurch, Appledore and Stone*, in the County of *Kent*; and *Ticehurst, Salehurst, Bodiam, Ewhurst, Northiam, Beckly, Peasmarsh, Iden and Playden*, in the County of *Sussex*. *Ibid.*
- cxixiii. An Act to amend and alter an Act passed in the last Session of Parliament, intituled *An Act for establishing a Joint Stock Company for the Erection of Buildings and establishing Machinery for the Purpose of promoting and encouraging Manufactures in Ireland*. *Ibid.*
- cxixiv. An Act to amend an Act of the last Session of Parliament, for facilitating Intercourse by Steam Navigation between the United Kingdom and the Continent and Islands of *America* and the *West Indies*. *503*
- cxixv. An Act for more effectually repairing and improving certain Roads in the Counties of *Kent* and *Surrey*, commonly called *The New Cross Turnpike Roads*. *Ibid.*
- cxixvi. An Act for more effectually repairing the Road from *Whitecross*, in the Parish of *Leven*, in *Holderness*, in the East Riding of the County of *York*, to the Town of *Beverley* in the said County. *504*
- cxixvii. An Act for more effectually repairing the Road from *Hulifax* to *Sheffield*, in the West Riding of the County of *York*, so far as relates to the Third District of the said Road, and for diverting and altering the said District of Road. *Ibid.*
- cxixviii. An Act for making, amending, widening, repairing and keeping in Repair certain Roads in the County of *Forfar*. *Ibid.*
- cxixix. An Act for making a Turnpike Road from *Shipley* to *Bramley*, together with certain Branches therefrom, in the West Riding of the County of *York*. *Ibid.*
- cxixxx. An Act for more effectually improving the Roads from *Doncaster* to *Salter's Brook Bridge*, and for diverting and altering the said Roads, and making certain Branches therefrom, all in the County of *York*. *Ibid.*
- cxixxi. An

- cxix. An Act for more effectually repairing the Road from *Sudbury* in the County of *Suffolk*, to *Bury Saint Edmunds* in the said County. Page 504
- cxlii. An Act for more effectually repairing, widening and improving the Roads from *Cranford Bridge* in the County of *Middlesex* to that End of *Maidenhead Bridge* which lies in the County of *Bucks*, and from *Slough* to *Eton Town End*, and from *Langley Broom* to *Datchet Bridge* in the said County of *Bucks*; and for watering the said Roads. 505
- cxliii. An Act for making a Road from the Foot of the *Salt Market* of *Glasgow* to the *Kilmarnock* or *Cathcart* Turnpike Road, and for building a Bridge in the Line thereof across the *River Clyde* from *Glasgow* to *Hutchisontown*. Ibid.
- cxliv. An Act for more effectually repairing the Road from *Markfield* Turnpike to the Road leading from *Loughborough* to *Ashby de la Zouch* in the County of *Leicester*. Ibid.
- cxlv. An Act for more effectually repairing the Road leading from the *Willersley* Turnpike Road near *Parton* to *Monkland Mill*, and other Roads therein mentioned, in the Counties of *Hereford* and *Worcester*. Ibid.
- cxlvi. An Act for making a Turnpike Road from *Wells* next the *Sea* to *Fakenham*, with a Branch therefrom, all in the County of *Norfolk*. Ibid.
- cxlvii. An Act for more effectually repairing the Road from the Turnpike Road at or near the Town of *Swindon* to the North End of the Town of *Marlborough* in the County of *Wilts*. Ibid.
- cxlviii. An Act for more effectually repairing and improving several Roads leading to and from the Town of *Salford*, through *Pendleton* and other Places therein mentioned, in the County Palatine of *Lancaster*, and several other Roads therein mentioned; and for making and maintaining certain Diversions or new Lines of Road to communicate therewith. Ibid.
- cxlix. An Act for making and maintaining a Railway or Tramroad from the City of *Limerick* to the Town of *Carrick* in the County of *Tipperary*, with several Branches therefrom in the County of *Tipperary* aforesaid and in the County of the City of *Waterford*. 506
- cxli. An Act to amend an Act of His late Majesty's Reign, for confirming certain Articles of Agreement between the Company of Proprietors of the Grand Junction Canal and certain Persons, for supplying with Water the Inhabitants of *Paddington* and Places adjacent in the County of *Middlesex*; and also an Act of His said late Majesty's Reign, to alter certain Acts relating to the Grand Junction Canal, the Grand Junction Waterworks and the Regent's Canal, in order to effect an Exchange of Water for the better Supply of the Regent's Canal Navigation and Grand Junction Waterworks; and for amending the Powers vested in the Grand Junction Waterworks Company; and for other Purposes relating thereto. Ibid.
- cxli. An Act to repeal an Act of the Twenty fourth Year of His late Majesty King *George* the Third, for the better Relief and Employment of the Poor belonging to several Parishes within the Town of *Shrewsbury*, and the Liberties thereof, in the County

- County of *Salop*; and to make other Provisions in lieu thereof. Page 506
- cxlii. An Act for consolidating the Trusts of the several Turnpike Roads in the Neighbourhood of the Metropolis, North of the River *Thames*. Ibid.

PRIVATE ACTS,

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IN EVIDENCE.

1. AN Act for dividing, allotting and inclosing Lands in the Township of *Netherthong*, in the Parish of *Almondbury*, in the West Riding of the County of *York*. Page 619
2. An Act for inclosing and exonerating from Tithes Lands in the Parish of *West Lydford* in the County of *Somerset*. Ibid.
3. An Act for inclosing Lands within the Township, Division or Quarter of *Anthorn*, in the Parish of *Bowness* in the County of *Cumberland*. Ibid.
4. An Act for dividing, allotting and inclosing the Commons or Waste Lands in the Hamlet of *Whittle*, in the Parish of *Glossop* in the County of *Derby*. 620
5. An Act for inclosing Lands in the Parish of *Dilham* in the County of *Norfolk*. Ibid.
6. An Act for inclosing Lands in the Parish of *Farlesthorne* in the County of *Lincoln*. Ibid.
7. An Act for inclosing Lands in the Parish of *Hopton*, within the Liberty of *Bury Saint Edmunds*, in the County of *Suffolk*. Ibid.
8. An Act for vesting an Estate at *Diss* in the County of *Norfolk*, Part of the Settled Estates of the Reverend *Charles Pine Coffin*, contracted to be sold to *Meadows Taylor* Gentleman, upon Trust to complete the Sale thereof; and to apply Part of the Purchase Money in discharge of a Mortgage affecting such Estate, and the Residue in the Purchase of other Estates, to be settled to the same Uses. Ibid.
9. An Act for enabling the Master, Wardens or Keepers of the Commonalty of Freemen of the Mystery of Coopers, *London*, and of the Suburbs of the same City, to purchase and hold in Mortmain a Piece of Land adjoining the Free School at *Egham* in the County of *Surrey*, founded by *Henry Strode*, as Trustees for the Purposes of the said Charity. Ibid.
10. An Act for inclosing Lands in *Lorton*, in the Manor of *Dewentfells* in the County of *Cumberland*. Ibid.
11. An Act for inclosing Lands in the Manor and Parish of *Wolverton* in the County of *Warwick*. 621
12. An Act for inclosing Lands in the Parish of *Anstey* in the County of *Hertford*. Ibid.
13. An

13. An Act for inclosing Lands in the Parish of *Kentford* in the County of *Suffolk*. *Page 621*
14. An Act for inclosing and exonerating from Tithes Lands in the Parishes of *West Ardsley* otherwise *Woodchurch*, and *East Ardsley*, in the West Riding of the County of *York*. *Ibid.*
15. An Act for inclosing and exonerating from Tithes Lands in the Parish of *Norwell* in the County of *Nottingham*. 622
16. An Act for subdividing, allotting and inclosing the Allotment directed to be set out by an Act of the last Session of Parliament, for inclosing the Forest of *Salcey* in the Counties of *Northampton* and *Buckingham*, to the several Owners and Proprietors of Lands claiming Rights of Common in and over the said Forest. *Ibid.*
17. An Act for inclosing Lands in the Township of *Soughton* in the Parish of *Northup* in the County of *Flint*. *Ibid.*
18. An Act to alter and amend an Act of His present Majesty's Reign, for inclosing Lands in the Parish of *Snelston* in the County of *Derby*. *Ibid.*
19. An Act for enabling the Trustees under the Will of *Benjamin Griffin*, deceased, to grant Building and other Leases of Parts of the Estates thereby devised, situate in the Parishes of *Saint Mary Lambeth* in the County of *Surrey*, and *Saint Clement Danes* in the County of *Middlesex*. *Ibid.*
20. An Act to extend and amend the Powers of an Act passed in the Forty eighth Year of the Reign of His late Majesty, intituled *An Act to enable Nathaniel Lee Acton Esquire, and others, to grant Building Leases of Lands at and near Hackney in the County of Middlesex, devised by the Will of the late Baptist Lee Esquire*. *Ibid.*
21. An Act for carrying into Effect a Contract entered into for the Sale of certain Tithes and other Hereditaments in the County of *Northumberland*, settled by the Will of *William Baird Esquire*, deceased, to *Hugh Duke of Northumberland*, and for applying the Money thence arising in the Purchase of other Estates to be settled to the same Uses. 623
22. An Act for building a Parsonage House for the Rector of the Parish of *Saint Paul Shadwell* in the County of *Middlesex*; and for enabling such Rector to grant Building Leases of Part of the Rectory Land; and for other Purposes. *Ibid.*
23. An Act for empowering the Judges of the Court of Session in *Scotland* to sell certain Parts of the Lands and Barony of *Bigger* and Lands and Barony of *Boghall*, entailed by Sir *Michael Bruce of Stenhouse* Baronet, now belonging to Vice Admiral the Honourable *Charles Fleming*; and to apply the Price to be obtained for the same in the Payment of the Debts affecting the said Estate. *Ibid.*
24. An Act for enabling the Governors of the Hospital of the Poor or Almshouse called *Sekforde's Almshouse*, in *Woodbridge* in the County of *Suffolk*, to grant building and other Leases of their Estates situate in the Parish of *Saint James Clerkenwell* in the County of *Middlesex*, and for other Purposes for the Benefit of the said Hospital. *Ibid.*
25. An Act to enable the Provost and College of *Eton*, in the County of *Bucks*, to grant Building Leases of Lands in the Parishes

- Parishes of *Hampstead* and *Mary le bone*, in the County of *Middlesex*, and for other Purposes. Page 623
26. An Act for confirming an Exchange made of certain Parts of the Glebe Lands of the Rectory of *Stowlangtoft* in the County of *Suffolk*. *Ibid.*
27. An Act to confirm an Award made for ascertaining the Glebe Lands of the Rectory Appropriate of *Waghen* in the County of *York*, and for dividing the same from the Fee Simple Estates of the late *Joseph Windham* Esquire, situate in the Parish of *Waghen* aforesaid. *Ibid.*
28. An Act for amending and enlarging the Powers of an Act of the Seventeenth Year of the Reign of His late Majesty King *George* the Third, and of another Act of the Fifty fourth Year of the Reign of the same King, for enabling the Feoffees and Trustees of an Estate in the County of *Middlesex*, given by *Lawrence Sheriff*, for the founding and maintaining a School and Almshouses at *Rugby* in the County of *Warwick*, to sell Part of the said Estate, or to grant Leases thereof, and for other Purposes. 624
29. An Act for the better Management and Disposition of the Estates given by Sir *William Harpur* Knight, and Dame *Alice* his Wife, for a free and perpetual School in the Town of *Bedford*, and other Purposes, and of the Rents and Profits thereof. *Ibid.*
30. An Act for carrying into Effect an Exchange of the Lands and Estate of *Aboes Kirkton*, situated in the Shire of *Elgin* and *Forres*, belonging to His Grace *Alexander* Duke of *Gordon*, for certain entailed Salmon Fishings in the River *Spey*, of the Right Honourable *Francis* Earl of *Moray*, situated in the same Shire. *Ibid.*
31. An Act for vesting certain Messuages, Cottage Gardens and other Premises, (being Parts of the Estates of the Feoffees in Trust for the Benefit of the Inhabitants of *Melton Mowbray*, in the County of *Leicester*,) in Trustees, to be sold, and for laying out the Purchase Monies in the Purchase of other Estates, to be vested in the same Feoffees upon the same Trusts. *Ibid.*
32. An Act for dissolving a certain Partnership Company known by the Name of "The Genuine Beer Brewery," and for enabling the Directors and Trustees thereof to dispose of the Estates and Effects of the Concern, and divide the Surplus, after Payment of Debts and Expences, amongst the Shareholders of the Capital Stock therein, and other Purposes. *Ibid.*
33. An Act for vesting the Settled Estates of *Samuel Ellis Bristowe* Esquire, situate in the County of *Derby*, and certain Parts of his Settled Estates in the County of *Nottingham*, in Trust, to be sold; and for laying out the Purchase Money in other Estates, to be settled to the same Uses. *Ibid.*
34. An Act for vesting the Fee of certain Settled Estates, late of *Ann Elizabeth Meyrick* deceased, situate in the Counties of *Devon*, *Dorset* and *Wills*, in Trustees, upon Trust, to sell, and apply the Purchase Monies in discharging certain Incumbrances. 625
35. An Act for enabling the Prebendary of the Prebend of *Wenlock's Barn* to purchase, for the Benefit of himself and his

Successors, the Hereditaments comprised in a certain Indenture of Lease, for the Residue of the Term thereby demised; and to grant Building Leases of the same Hereditaments; and for other Purposes.

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36. An Act to confirm a Contract entered into for granting Sub Leases for building on Lands within the Manor of *Brownswood* in the County of *Middlesex*, Parcel of the Prebend of *Brownswood*, founded in the Cathedral Church of *Saint Paul* in *London*; and to enlarge the Powers of an Act passed in the Second Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act to enable the Prebendary of the Prebend of Brownswood in the County of Middlesex, founded in the Cathedral Church of Saint Paul in London, to grant a Lease of the Manor of Brownswood in the said County, Parcel of the said Prebend, in manner therein mentioned, and to enable the granting of Sub Leases for building thereon, and otherwise improving the same, and for other Purposes*; and to amend the same Act; and to authorize the Redemption of the Land Tax payable in respect of the said Manor, and the Lands and Hereditaments within the same; and for other Purposes. *Ibid.*
37. An Act for empowering the Trustees under the Will of *Samuel Rhodes* Esquire, deceased, to grant Building Leases, and for other Purposes. *Ibid.*
38. An Act for confirming certain Articles of Agreement between the Reverend *Henry Wise* and *Thomas Cubitt*, and for authorizing the granting of Building Leases of Ground in the Parishes of *Saint George Hanover Square* and *Saint John the Evangelist Westminster*, pursuant to the said Articles; and for other Purposes. *Ibid.*
39. An Act for enabling the Trustees to sell, under the Authority of the Court of Chancery, the Real Estates devised by the Will and Codicils of *William Powlett Powlett* Esquire, deceased, for the Purpose of raising Money to discharge the Debts and Incumbrances affecting the same Estates. *Ibid.*
40. An Act for establishing certain Leases granted by *George Cary* Esquire, of certain Lands and Hereditaments situate and being in the several Parishes of *Tormokan* and *Saint Mary Church*, in the County of *Devon*, Parcel of his Settled Estates; and to enable him to grant Leases of other Parts of his said Settled Estates; and for other Purposes therein mentioned. 626
41. An Act for effecting a Sale of Part of the Glebe Lands belonging to the Rectory of *Kingswinford* otherwise *Swynford Regis* in the County of *Stafford*, and the Mines in and under the same, to the Right Honourable *John William Viscount Dudley and Ward*; and for other Purposes. *Ibid.*
42. An Act for vesting in a Trustee the legal Estate in Fee Simple of divers Messuages, Lands, Tenements and other Hereditaments, mortgaged and conveyed in Trust to *James Crummer* Esquire, deceased. *Ibid.*
43. An Act for dividing, allotting and otherwise improving Lands in the Parish of *Felpham* in the County of *Sussex*. *Ibid.*
44. An Act for inclosing Lands in the Parish of *Foxton* in the County of *Cambridge*. *Ibid.*
45. An Act for dividing, allotting and inclosing, and exonerating from

from Average Rents, and enfranchising, certain Copyhold and Leasehold Lands within the Township and Parish of *Ripon* in the County of *York*.

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46. An Act for vesting *Pedlar's Acre* Estate, situate in the Parish of *Saint Mary Lambeth* in the County of *Surrey*, in Trustees, for letting the same, and for applying the Produce thereof according to the Directions of the Vestry of the said Parish. *Ibid.*

PRIVATE ACTS,

NOT PRINTED.

47. AN Act for vesting the settled undivided Shares of *Ralph Adderley* Esquire, and *Rosamond* his Wife, and *John Robert Browne Cave* Esquire, and *Catherine Penelope* his Wife, of and in certain Hereditaments in the County of *Derby*, in Trustees, and their Heirs, upon Trust to convey the same in the Manner therein mentioned, for the Purposes of effectuating an Agreement entered into with the Reverend *Richard Rowland Ward* Clerk.
48. An Act for the Restoration of *Patrick Murray Threipland* of *Fingask* to the Dignity of a Baronet.
49. An Act to restore *Francis Baron Wemyss* and others from the Effects of the Attainder of *David Wemyss*, commonly called *Lord Elcho*.
50. An Act to restore *David Ogilvy* Esquire and others from the Effects of the Attainders of *James* eldest Son of *David* Earl of *Airlie*, and of *David Ogilvy*, taking upon himself the Title of *Lord Ogilvy*.
51. An Act for the Restoration of *James Sutherland* Esquire to the Dignity and Title of Baron *Duffus*.
52. An Act for the Restoration of Major General *Robert Alexander Dalzell* to the Dignity and Title of Earl of *Carnwath*.
53. An Act for dividing, allotting and inclosing the open and common Lands within the Parish of *Chilthorne Domer* in the County of *Somerset*, and exonerating from Tithes Part thereof.
[Allotment to Vicar in lieu of Tithes, § 19. Such Allotment to be fenced, § 20. Vicar, with Consent of Bishop and Patron, may lease his Allotment, § 21. No Exchange to be made of Church Lands without Consent of Bishop of Diocese, § 25.]
54. An Act to dissolve the Marriage of *Stepney Saint George* Esquire with *Anne* his now Wife, and to enable him to marry again, and for other Purposes therein mentioned.
55. An Act to dissolve the Marriage of the Right Honourable *Cornelius Viscount Lismore*, of the Kingdom of *Ireland*, with *Eleanor Viscountess Lismore* his now Wife, and to enable him to marry again, and for other Purposes therein mentioned.
56. An Act to dissolve the Marriage of *Christian Frederick Charles Alexander James Johnston* Esquire with *Elizabeth Jane Henrietta Johnston* his now wife, and to enable him to marry again, and for other Purposes therein mentioned.
57. An Act for naturalizing *Charles Frederick Wille*.
58. An Act for naturalizing *John Christian Mencke*.
59. An Act for naturalizing *Fredrick Campbell* Esquire.

THE
STATUTES AT LARGE.

Anno Regni GEORGII IV. Britanniarum Regis,
Septimo.

AT the Parliament begun and holden at *Westminster*, the Twenty first Day of *April*, Anno Domini 1820, in the First Year of the Reign of our Sovereign Lord GEORGE the Fourth, by the Grace of God, of the United Kingdom of *Great Britain* and *Ireland*, King, Defender of the Faith; and from thence continued, by several Prorogations, to the Second Day of *February* 1826, being the Seventh Session of the Seventh Parliament of the United Kingdom of *Great Britain* and *Ireland*.

C A P. I.

An Act for granting and applying certain Sums of Money for the Service of the Year One thousand eight hundred and twenty six. [1st *March* 1826.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards raising the necessary Supplies which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to give and grant unto Your Majesty the Sums hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, &c.

3,500,000*l.* arising from former Aids. — 5,000,000*l.* from Consolidated Fund. — 4,320,000*l.* pursuant to 3 G. 4. c. 51. and 4 G. 4. c. 22. — 60,000*l.* from the *East India* Company. — Money paid into the Exchequer in respect of Exchequer Bills issued for Public Works, and also whatever Balance may be paid by the Bank of *England* pursuant to 56 G. 3. c. 97. All these Sums to be applied for 1826. Proviso if such Balance shall be reduced to less than 100,000*l.*, then so much of the Monies advanced by the Bank to be repaid to them as shall be equal to the Sum by which the said Balance shall be less than 100,000*l.*

C A P. II.

An Act for raising the Sum of Ten Millions by Exchequer Bills, for the Service of the Year One thousand eight hundred and twenty six. [1st March 1826.]

" Treasury may raise 10,000,000*l.* by Exchequer Bills, in like
 " Manner as is prescribed by 48 G. 3. c. 1. — § 1. The Clauses,
 " &c. in recited Act extended to this Act. § 2. Treasury to apply
 " the Money raised. § 3. Exchequer Bills to be payable out of
 " the Surplus in the next Session. § 4. Exchequer Bills to bear
 " an Interest not exceeding 3½*d.* per Cent. per Diem. § 5. Ex-
 " chequer Bills to be current at the Exchequer after April 5,
 " 1827. § 6. Bank of *England* may advance 10,000,000*l.* on the
 " Credit of this Act, notwithstanding the Act 5 & 6 W. & M. c. 20.
 " — § 7.

C A P. III.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and for extending the Time limited for those Purposes respectively. [22d March 1826.]

[This Act is the same as 6 G. 4. c. 3. except that in 6 G. 4. c. 3. § 3. is contained an Indemnity to Trustees of Turnpike Roads not having been qualified under the several Turnpike Acts.]

C A P. IV.

An Act to amend an Act of the last Session of Parliament, for making Provision for the Salaries of certain Bishops, and other Ecclesiastical Dignitaries and Ministers in the Diocese of *Jamaica*, and in the Diocese of *Barbadoes* and the *Leeward Islands*, and for enabling His Majesty to grant Annuities to such Bishops upon the Resignation of their Offices.

[22d March 1826.]

6 G. 4. c. 88. in
 part repealed.

WHEREAS an Act was passed in the last Session of Parliament, intituled *An Act to make Provision for the Salaries of certain Bishops, and other Ecclesiastical Dignitaries and Ministers, in the Diocese of Jamaica, and in the Diocese of Barbadoes and the Leeward Islands; and to enable His Majesty to grant Annuities to such Bishops upon the Resignation of their Offices*: And Whereas it is expedient that the said Act should be amended: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said recited Act as enacts, that there shall be Seven Ministers in the Diocese of *Jamaica*, and Thirteen Ministers and Three Catechists in the Diocese of *Barbadoes*, with certain Salaries specified in the said Act, shall be repealed.

Salaries how to
 be distributed.

II. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury of the United Kingdom

Kingdom for the Time being, or any Three or more of them, and they are hereby authorized and required, from time to time, by Warrant or Warrants under their Hands, to direct the proper Officer of the Exchequer to issue and pay out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, to such Person or Persons as may be appointed to receive the same, any Sum or Sums of Money, not exceeding the Sum of Six thousand three hundred Pounds *per Annum*, to commence and be computed from the Fifth Day of *April* One thousand eight hundred and twenty four, for the Salaries of Ministers, Catechists and Schoolmasters, in the Dioceses of *Jamaica* and *Barbadoes* and the *Leeward Islands*, and to be distributed among such Ministers, Catechists and Schoolmasters, in Salaries or otherwise, as the Bishops of the respective Dioceses, with the Approbation of the Commissioners of the Treasury, or of His Majesty's Secretary of State, shall appoint; and so that the Sum to be paid to the Ministers, Catechists and Schoolmasters, in pursuance of the said Act of the last Session of Parliament and of this Act, shall not exceed Two thousand one hundred Pounds *per Annum* for the Diocese of *Jamaica*, and Four thousand two hundred Pounds *per Annum* for the Diocese of *Barbadoes* and the *Leeward Islands*; and that no Minister shall have a Salary exceeding Three hundred Pounds *per Annum*, as authorized by the said Act.

C A P. V.

An Act to give effect to Treaties of Commerce with Countries in *America* not at present provided with National Merchant Shipping. [22d March 1826.]

‘ WHEREAS Treaties of Amity, Commerce, and Navigation have been concluded between His Majesty and the Republics of the States of the *Rio de la Plate* and of *Colombia* respectively: And Whereas it is expedient to give effect to such Parts of the said Treaties as require the Sanction of Parliament;’ Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Ships, of whatever Built, and in whatever Way acquired, being duly owned and navigated as the Ships of the said Republics respectively, shall, for the Term of Seven Years from the respective Dates of such Treaties, be deemed to be the Ships of those Countries respectively, in all Places under *British* Dominion; any Thing in the Law of Navigation to the contrary notwithstanding.

Ships owned and navigated as Ships of Rio de la Plate and Colombia deemed Ships of those Countries as herein mentioned.

‘ II. And Whereas Treaties of the like Nature may be concluded between His Majesty and other Countries in *America* not yet provided with National Merchant Shipping, built or acquired in Manner required by the Law of Navigation;’ Be it therefore enacted, That all Ships, of whatever Built, and in whatever Way acquired, being duly owned and navigated as the Ships of particular Countries in *America*, shall be deemed to be the Ships of such Countries respectively, in all Places under *British* Dominion, for any Term not exceeding Seven Years, agreed to in that behalf in any Treaty between His Majesty and any of such Countries respectively;

The like Privilege extended to Ships of other Countries in America.

spectively; any Thing in the Law of Navigation to the contrary notwithstanding.

C A P. VI.

An Act to limit, and after a certain Period to prohibit, the issuing of Promissory Notes under a limited Sum in England. [22d March 1826.]

WHEREAS it is expedient to limit, and after the Expiration of a certain Period to prohibit, the issuing, re-issuing and Circulation by Bankers, Banking Companies or other Persons, of Promissory Notes, Drafts or Undertakings in Writing, under a limited Sum, payable on Demand to the Bearer thereof in that Part of the United Kingdom called England; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act to continue, until the Fifth Day of January One thousand eight hundred and thirty three, an Act of the Thirty seventh Year of His late Majesty, for suspending the Operation of an Act of the Seventeenth Year of His late Majesty, for restraining the Negotiations of Promissory Notes and Bills of Exchange under a limited Sum in England*, shall be and the same is hereby repealed.

§ G. 4. c. 70.

repealed.

17 G. 3. c. 30.
(made perpetual by
27 G. 3. c. 16.)
not to extend
to certain
Notes herein
described.

II. Provided always, and be it enacted, That the said Act passed in the Seventeenth Year of His late Majesty, intituled *An Act for further restraining the Negotiation of Promissory Notes and Inland Bills of Exchange, under a limited Sum, within that Part of Great Britain called England*, (which Act was made perpetual by an Act passed in the Twenty seventh Year of the Reign of His late Majesty, intituled *An Act for making perpetual Two Acts, passed in the Fifteenth and Seventeenth Years of the Reign of His present Majesty, for restraining the Negotiation of Promissory Notes and Bills of Exchange under a limited Sum within that Part of Great Britain called England*, and will, by the Repeal of the said recited Act of the Third Year of the Reign of His present Majesty, become and be in full force,) shall not extend or be construed to extend to any such Promissory Notes, or Forms of Promissory Notes, payable to Bearer on Demand, of any Bankers or Banking Companies, or other Person or Persons in England, duly licensed, as shall have been stamped before the Fifth Day of February One thousand eight hundred and twenty six, under the Provisions of any Act or Acts relating to the Stamp Duties upon Promissory Notes or Bills of Exchange under the Sum of Five Pounds; nor to any Promissory Notes of the Governor and Company of the Bank of England, payable to the Bearer on Demand, for any Sum under Five Pounds, which shall have been made out and bear Date before the Tenth Day of October One thousand eight hundred and twenty six, but all such Promissory Notes so duly stamped, or so made out, and bearing Date as aforesaid, may be issued and re-issued by all such Bankers and Banking Companies, and Persons aforesaid, and by the Governor and Company of the Bank of England respectively, until the Fifth Day of April One thousand eight hundred

hundred and twenty nine; any Thing in any Act or Acts of Parliament to the contrary notwithstanding.

III. And be it further enacted, That if any Body Politic or Corporate, or any Person or Persons, shall from and after the passing of this Act, and before the Fifth Day of *April* One thousand eight hundred and twenty nine, make, sign, issue or re-issue in *England* any Promissory Note payable on Demand to the Bearer thereof, for any Sum of Money less than the Sum of Five Pounds, except such Promissory Note or Form of Note as aforesaid, of any Banker or Bankers, or Banking Companies, or Person or Persons duly licensed in that behalf, which shall have been duly stamped before the Fifth Day of *February* One thousand eight hundred and twenty six; and except such Promissory Note of the Governor and Company of the Bank of *England* as shall have been or shall be made out and bear Date before the said Tenth Day of *October* One thousand eight hundred and twenty six; or if any Body Politic or Corporate, or Person or Persons, shall, after the said Fifth Day of *April* One thousand eight hundred and twenty nine, make, sign, issue or re-issue in *England* any Promissory Note in Writing, payable on Demand to the Bearer thereof, for any Sum of Money less than Five Pounds, then and in either of such Cases every such Body Politic or Corporate, or Person or Persons, so making, signing, issuing or re-issuing any such Promissory Note as aforesaid, except as aforesaid, shall, for every such Note so made, signed, issued or re-issued, forfeit the Sum of Twenty Pounds.

Issuing unduly, &c. before or after 5th April 1829, Notes herein described.

Penalty.

Unduly uttering, &c. Notes herein described otherwise than according to the Directions of 17 G.3. c.30.

IV. And be it further enacted, That if any Body Politic or Corporate, or Person or Persons, in *England*, shall, from and after the passing of this Act, publish, utter or negotiate any Promissory or other Note, (not being a Note payable to Bearer on Demand, as is ~~hereinbefore~~ mentioned,) or any Bill of Exchange, Draft or Undertaking in Writing, being negotiable or transferable for the Payment of Twenty Shillings, or above that Sum and less than Five Pounds, or on which Twenty Shillings, or above that Sum, and less than Five Pounds, shall remain undischarged, made, drawn or indorsed in any other Manner than as is directed by the said Act passed in the Seventeenth Year of the Reign of His late Majesty; every such Body Politic or Corporate, or Person or Persons, so publishing, uttering or negotiating any such Promissory or other Note, (not being such Note payable to Bearer on Demand as aforesaid,) Bill of Exchange, Draft or Undertaking in Writing as aforesaid, shall forfeit and pay the Sum of Twenty Pounds.

Penalty.

Penalties may be recovered under the Stamp Act.

V. And be it further enacted, That the Penalties which shall or may be incurred under any of the Provisions of this Act, and which are in lieu of the Penalties imposed by the said Act of the Seventeenth Year of His late Majesty, may be sued for, recovered, levied, mitigated and applied in such and the same Manner as any other Penalties imposed by any of the Laws now in force relating to the Duties under the Management of the Commissioners of Stamps.

VI. And be it further enacted, That the Governor and Company of the Bank of *England* shall and they are hereby required, from time to time, from and after the passing of this Act, on the Fifteenth Day of each Month in each and every Year preceding the Fifth Day of *April* One thousand eight hundred and twenty nine,

Bank of England to deliver to Treasury Accounts of their Notes herein described to

Manner herein mentioned.

Such Accounts to be published in the Gazette, and laid before Parliament, if sitting.

Commissioners of Stamps not to stamp certain Notes herein described.

Indemnity to Commissioners of Treasury and Stamps.

Suits and Proceedings void.

Act not to extend to Orders

(or if such Days, or any of them, shall happen on a *Sunday*, then on the Sixteenth Day of any such Month respectively,) to cause a true and perfect Account in Writing to be taken and attested by the proper Officer, of the Total Number of Notes of the said Governor and Company, under the Value of Five Pounds, which shall have been issued during each and every Week of the preceding Month, ending on the *Saturday* next preceding such Days respectively, from *Monday* until *Saturday* in each and every Week, both inclusive, distinguishing the respective Denominations and Values of such Notes, and also stating the Total Amount actually in Circulation at the Close of Business on every such *Saturday*, and shall cause such Account to be transmitted and delivered within Three Days after such Fifteenth Day of each and every such Month as aforesaid, to One of the Secretaries of the Commissioners of His Majesty's Treasury, who shall and they are hereby required to cause the same to be published forthwith in the *London Gazette*, and shall also, and are hereby required to cause a Copy of such Account to be laid before both Houses of Parliament at each and every of the Periods above mentioned, if Parliament shall at such Times be sitting, or otherwise within Ten Days after the next Meeting of Parliament.

VII. And be it further enacted, That from and after the passing of this Act, the Commissioners of Stamps shall not be empowered to provide any Stamp or Stamps for expressing or denoting the Duty or Duties payable in *England* upon any Promissory Note for the Payment to the Bearer on Demand of any Sum of Money less than the Sum of Five Pounds; nor shall it be lawful for the said Commissioners, or any of their Officers, to stamp any Promissory Note, or the Form of any Promissory Note, for the Payment to the Bearer on Demand of any Sum of Money less than Five Pounds.

VIII. And Whereas the said Commissioners of Stamps did, in pursuance of Directions in that behalf from the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, on the Third Day of *February* last past, order their Officers not to stamp any more Promissory Notes for Circulation in *England* of less Value than Five Pounds; and it is expedient that the said Commissioners of the Treasury and the Commissioners of Stamps, and all Persons acting under their Authority in that behalf, should be indemnified for having so respectively acted without the Authority of Parliament; Be it therefore enacted, That the said Commissioners of His Majesty's Treasury, and the said Commissioners of Stamps respectively, and all Persons who shall by their Order, in pursuance of the said Directions, have refused to stamp any such Notes, or to do any Matter or Thing relating thereto, shall be and are and is hereby saved harmless, indemnified and discharged in respect thereof, as well against the King's Majesty, His Heirs and Successors, as against all and every other Persons and Person; and that all Suits and Proceedings whatsoever touching or concerning any Matter discharged by this Act, shall be and the same are hereby made void and of no Effect, to all Intents and Purposes; any Law, Statute or Usage to the contrary notwithstanding.

IX. Provided always, and be it further enacted, That nothing herein

herein contained shall extend to any Draft or Order drawn by any Person or Persons on his, her, or their Banker or Bankers, or on any Person or Persons acting as such Banker or Bankers, for the Payment of Money held by such Banker or Bankers, Person or Persons, to the Use of the Person or Persons by whom such Draft or Order shall be drawn.

drawn by any Person on his Banker.

X. And be it further enacted, That every Promissory Note payable to Bearer on Demand, for any Sum of Money under the Sum of Twenty Pounds, which shall be made and issued after the Fifth Day of April One thousand eight hundred and twenty nine, shall be made payable at the Bank or Place where the same shall be so made and issued as aforesaid: Provided always, that nothing herein contained shall extend to prevent any such Promissory Note from being made payable at several Places, if one of such Places shall be the Bank or Place where the same shall be so issued as aforesaid.

Notes herein described to be payable at the Bank where issued.

XI. And be it further enacted, That this Act may be altered, amended or repealed, by any Act or Acts to be made in this present Session of Parliament.

Act may be altered, &c. this Session.

C A P. VII.

An Act to facilitate the advancing of Money by the Governor and Company of the Bank of *England* upon Deposits or Pledges. [22d March 1826.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act to alter and amend an Act for the better Protection of the Property of Merchants and others, who may hereafter enter into Contracts or Agreements in relation to Goods, Wares or Merchandize intrusted to Factors or Agents*: And Whereas certain of the Enactments therein contained are by the said Act to take effect from and after the First Day of October in the present Year: And Whereas it is expedient that Part of the said last mentioned Enactments should, as far as relates to Loans or Advances of Money made by the Governor and Company of the Bank of *England* upon Deposits or Pledges, immediately take place and have effect: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, any Person or Persons intrusted with and in Possession of any Bill of Lading, *India* Warrant, Dock Warrant, Warehouse Keeper's Certificate, Wharfinger's Certificate, Warrant or Order for Delivery of Goods, shall be deemed and taken to be the true Owner or Owners of the Goods, Wares and Merchandize described and mentioned in the said several Documents hereinbefore stated respectively, or either of them, so far as to give Validity to any Contract or Agreement hereafter to be made or entered into by such Person or Persons, so intrusted and in possession as aforesaid, with the said Governor and Company, for the Deposit or Pledge thereof, or any Part thereof, as a Security for any Money or negotiable Instrument or Instruments advanced or given by the said Governor and Company upon the Faith of such several Documents,

How far Persons in Possession of Bills of Lading, &c. deemed Owners of Goods mentioned therein.

ments, or either of them; provided the said Governor and Company shall not have Notice by such Documents, or either of them, or otherwise, that such Person or Persons so intrusted as aforesaid is or are not the actual and *bonâ fide* Owner or Owners, Proprietor or Proprietors of such Goods, Wares or Merchandize, so deposited or pledged as aforesaid; any Law, Usage or Custom to the contrary thereof in anywise notwithstanding.

C A P. VIII.

An Act to amend so much of an Act of the last Session of Parliament, for regulating the Qualification and the Manner of enrolling Jurors in *Scotland*, and of choosing Jurors in Criminal Trials there, and to unite Counties for the Purposes of Trial in Cases of High Treason in *Scotland*, as relates to the Qualification of Special Jurors.

[22d March 1826.]

6 G. 4. c. 22.

§ 4.

‘ WHEREAS an Act was passed in the last Session of Parliament, intituled *An Act to regulate the Qualification and the Manner of enrolling Jurors in Scotland, and of choosing Jurors on Criminal Trials there, and to unite Counties for the Purposes of Trial in Cases of High Treason in Scotland*, by which it was among other Things enacted, that as soon as a Roll or List of Jurors, qualified as therein directed, should have been made up and inserted in the General Jury Book, the Sheriff and Stewart of every County and Stewartry in *Scotland* should select therefrom the Names of all Persons qualified to be Special Jurors, in Terms of an Act passed in the Fifty fifth Year of the Reign of His late Majesty King George the Third, intituled *An Act to facilitate the Administration of Justice in that Part of the United Kingdom called Scotland, by the extending of Trial by Jury to Civil Causes* (a); and such Names so selected should be entered in a Book, to be called the Special Jury Book, to be kept in the said Sheriff or Stewart Clerk’s Office of each County or Stewartry, and be open for Inspection in the Manner therein directed; and the Persons whose Names should be entered in such Special Jury Book should be liable to serve as Special Jurors in all Civil Causes ordered to be tried by Special Jurors, and on all Criminal Trials as therein directed: And Whereas in some Counties in *Scotland* a sufficient Number of Special Jurors, qualified as aforesaid, cannot be found; Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, every Person residing within any County or Stewartry in *Scotland*, who shall be infertile in and possessed of Lands and Heritages in any Part of *Scotland*, yielding the Sum of One hundred Pounds Sterling of real Rent *per Annum*, or upwards, at the Time, and also every Person residing within any County or Stewartry in *Scotland*, who shall be possessed of Personal Property to the Amount of One thousand Pounds Sterling, or upwards, shall be qualified to serve as a Special Juror in *Scot-*

(a) [55 G. 3. c. 42. s. 25.]

land,

Additional
Number of
Special Jurors
qualified.

land, inclusive of and in addition to those Persons qualified to serve as Special Jurors in Terms of the aforesaid Act passed in the Fifty fifth Year of the Reign of His late Majesty.

II. And be it enacted, That as soon as conveniently may be after the passing of this Act, the Sheriff of every County in *Scotland* shall select from the List of Jurors contained in the General Jury Book of the County whereof he is Sheriff the Names of all Persons qualified to be Special Jurors in Terms of this Act; and such Names so selected shall be entered in the Special Jury Book of such County, as Persons liable to serve as Special Jurors: Provided always, that in making such Selection the Sheriff shall take the Names of such Jurors in the Order in which they stand in the said General Jury Book, and shall enter the said Names in the same Order in the Special Jury Book, immediately after the Names which shall have been entered in the said Special Jury Book at the Time of the passing of this Act; and provided also, that in Case the Names of Special Jurors entered in the Special Jury Book shall have been all returned to serve as Jurors before the Names contained in the General Jury Book shall in like Manner have been gone through, the Sheriff, in making Returns of Special Jurors, shall recommence to take the Names from the Top of the List entered in the Special Jury Book, and shall so return the Names in their regular Order in which they stand in the said Book, until new Lists shall be prepared.

In what Manner Special Jurors are to be selected.

III. And Whereas in some Counties in *Scotland* the Number of Persons qualified to serve as Special Jurors, in Terms of the said Act passed in the Fifty fifth Year of His late Majesty, and of this Act, may be so great as not to leave a sufficient Number to serve as ordinary Jurors in Criminal Trials; Be it enacted, That the Number of Special Jurors to be entered at any Time in the Special Jury Book, for any County, shall not exceed One Third of the total Number of Common Jurors entered in the General Jury Book of such County, after the Names of the Special Jurors shall have been deducted therefrom: Provided always, that any Juror who, although qualified to serve as a Special Juror, may, in consequence of this Provision, not have his Name entered in the Special Jury Book, shall be deemed to be and shall serve as a Common Juror.

How far the Number of Special Jurors to exceed Common Jurors.

Proviso.

IV. And be it further enacted, That in case any Person whose Name shall have been entered either in the said General Jury Book, or in the said Special Jury Book, shall die, or become disqualified as a Juror, whether from Loss of Property, Absence or other legal Cause, it shall and may be lawful for the Sheriff, in making Returns of Jurors, as directed by the said recited Act, to pass over the Name of every such Person, provided the Date at which the Name of such Person shall have been so passed over, and the Reason thereof, shall be entered at the Time in the said General Jury Book or the said Special Jury Book, as the Case may be.

Names of Jurors dying or becoming disqualified may be passed over.

Proviso.

V. And be it further enacted, That this Act, and the said recited Act passed in the last Sessions of Parliament, shall be construed and receive effect together, in the same Manner as if this Act had made Part of the said recited Act.

This Act and 6 G. 4. c. 22. to be construed together.

C A P. IX.

An Act to provide for the more effectual Punishment of certain Offences in *Ireland*, by Imprisonment with Hard Labour.

[22d March 1826.]

WHEREAS it is expedient to provide for the Punishment of certain Offences in *Ireland* by imprisonment with Hard Labour, in like Manner as the same are punished in *England*; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall and may be lawful for any Court in *Ireland* to pass upon any Person who shall be lawfully convicted before such Court of any Felony with Benefit of Clergy, or of any Grand Larceny, or of any Petit Larceny, Sentence of Imprisonment to Hard Labour, either simply and alone, or in addition to any other Sentence which such Court may or shall be authorized to pass upon any Person lawfully convicted of any of the Offences aforesaid, as to such Court shall seem fit; and such Person shall thereupon suffer such other Sentence, and be moreover imprisoned and kept to Hard Labour, or be simply imprisoned and kept to Hard Labour, in such Place and for such Time as such Court shall think fit to direct, not exceeding the Time for which such Courts may now imprison for such Offences; and that from and after the passing of this Act, whenever any Person in *Ireland* shall be convicted of any of the Offences hereafter specified and set forth; that is to say, any Assault with Intent to commit Felony; any Attempt to commit Felony; any Riot; any Misdemeanor for having received stolen Goods, knowing them to have been stolen; any Assault upon a Peace Officer, or upon an Officer of the Customs or Excise, or upon any other Officer of the Revenue in the due Discharge and Execution of his or their respective Duty or Duties; any Assault upon any Person or Persons acting in aid of any such Officer or Officers in the due Discharge and Execution of his or their respective Duty or Duties; any Assault committed in pursuance of any Conspiracy to raise the Rate of Wages; being an Utterer of Counterfeit Money knowing the same to be counterfeit; knowingly and designedly obtaining Money, Goods, Wares or Merchandizes, Bills, Bonds or other Securities for Money, by false Pretences, with Intent to cheat any Person of the same; keeping a common Gaming House, a common Bawdy House, or a common ill-governed and disorderly House; wilful and corrupt Perjury, or Subornation of Perjury; having entered any open or inclosed Ground with Intent there illegally to destroy, take or kill Game or Rabbits, or with Intent to aid, abet and assist any Person or Persons illegally to destroy, take or kill Game or Rabbits, and having been there found at night armed with any offensive Weapon; in each and every of the above Cases, and whenever any Person shall be convicted of any or either of the aforesaid Offences, it shall and may be lawful for the Court in *Ireland* before which any such Offender shall be convicted, or which by Law is authorized to pass Sentence upon any such Offender, to award and order (if such Court shall think fit) Sentence

Persons convicted of Felony herein described, or of Grand or Petit Larceny, may be sentenced to Imprisonment with Hard Labour;

and Persons convicted of certain Offences herein specified below the Degree of Felony, may also be sentenced to Imprisonment with Hard Labour.

Terms of Sentence.

Sentence of Imprisonment with Hard Labour for any Term not exceeding the Term for which such Court may now imprison for such Offences, either in Addition to or in lieu of any other Punishment which may be inflicted on any such Offenders by any Law in force in *Ireland* before the passing of this Act; and every such Offender shall thereupon suffer such Sentence in such Place, and for such Time as aforesaid, as such Court shall think fit to direct.

C A P. X.

An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.

[22d March 1826.]

[*This Act is the same and all the Schedules are also the same as 6 G. 4. c. 5. except as to the Dates and as to the Sections and Schedule that are here inserted.*]

LXXII. AND be it further enacted, That it shall and may be lawful for any Justice of the Peace or Magistrate for the County, Town or Place where any Noncommissioned Officer or Soldier shall be quartered in any Part of the United Kingdom, in case such Noncommissioned Officer or Private Soldier have either Wife or Child or Children, to cause such Noncommissioned Officer or Soldier to be summoned before him, in the Town or Place where such Noncommissioned Officer or Soldier shall be quartered, in order to make Oath of the Place of his last legal Settlement, if such Noncommissioned Officer or Soldier shall belong to any Parish or Place in that Part of *Great Britain* called *England* (which Oath such Justice or Magistrate is hereby empowered to administer); and such Noncommissioned Officer or Private Soldier as aforesaid is hereby directed to obey such Summons, and to make Oath accordingly; and such Justice or Magistrate is hereby required to take the Examination of such Noncommissioned Officer or Soldier in Writing, and to give an attested Copy of the Examination so taken before him to the Person so examined, to be by him delivered to his Commanding Officer, in order to be produced when required; which said Examination and such attested Copy shall be at any Time admitted in Evidence, as to such last legal Settlement, before any of His Majesty's Justices of the Peace, or at any General or Quarter Sessions of the Peace, although such Noncommissioned Officer or Soldier be dead or absent from the Kingdom: Provided always, that in case any Noncommissioned Officer or Private Soldier shall be again summoned to make Oath as aforesaid, then on such Examination or such attested Copy thereof being produced by him, or by any other Person on his behalf, such Noncommissioned Officer or Soldier shall not be obliged to take any other or further Oath with regard to his legal Settlement, but shall leave a Copy of such Examination, or a Copy of such attested Copy of Examination, if required.

For ascertaining the last legal Settlement of Soldiers having Wives or Children.

LXXVI. And Whereas, from various local Circumstances, the Rates of Carriage in *Ireland* cannot be regulated in the same Manner as the Rates in *England*; Be it therefore enacted, That the Sums to be paid in that behalf in *Ireland* shall be as follows; (that is to say,) for every Hundred weight which the Owner or Owners of any Wheel Carriage shall take as Loading

Rates of Carriage in *Ireland*.

on

on such Wheel Carriage, the Sum of One Halfpenny for every Mile or reputed Mile he or they shall therewith march, or according to such Rate as shall be fixed and ordered by the Justices of the Peace for any County or District, the said Justice having regard to the Price of Hay and Oats at the Time of fixing such additional Rates; and that the said Sums respectively shall be paid to such Owner or Owners respectively, or to their Carmen or Draymen respectively; and that every such Payment shall, if required, be made in the Presence of a Justice of the Peace, Constable or Petty Constable.

Limiting the Weight which Carriages impressed in Ireland shall be obliged to carry.

LXXX. And be it further enacted, That no Car impressed by Authority of this Act in *Ireland* shall be liable or obliged to carry above Six Hundredweight, and that no Dray so impressed shall be liable or obliged to carry more than Twelve Hundredweight, and if the Owner shall consent to carry above Six Hundredweight, or Twelve Hundredweight respectively, on any Carriage, he shall be allowed and paid at the Rate aforesaid for every Hundred above the Weight of Six hundred Pounds, or Twelve hundred Pounds, put on his Carriage, according to the Nature and Description thereof; and the Owner or Owners of such Carriage or Carriages shall not be compelled or obliged to proceed with such Carriage or Carriages, under the Sum of Three Pence for each Mile or reputed Mile for each Car, or Sixpence a Mile for each Dray, at the least, in case he or they shall be required to carry a less Weight on such Carriage or Carriages than the Weights hereinbefore appointed for the same respectively.

Notice to be given to Lord Mayor of Dublin, before March of Troops out of that City, to provide Carriages.

LXXXI. And be it further enacted, That whenever any Troops or Companies of Soldiers shall receive Orders to march from *Dublin*, and that it shall be necessary to impress Carriages for that Purpose, Notice shall be given to the Lord Mayor of the City of *Dublin* at least Twenty four Hours before the March of such Troops or Companies of Soldiers out of the said City, or, in case of Emergency, as long before such March as the Nature of the Case shall permit, of the Number of Troops, Companies or Soldiers appointed to march; whereupon the Lord Mayor for the Time being shall summon a proportionable Number of Cars or Drays, or either of them, at his Discretion, out of the Licensed Cars, Drays and other Cars and Drays within the County of the said City, and so from time to time the said Cars and Drays are by Turns to be employed in carrying the Baggage of such Troops or Companies, at the Prices and under the Regulations hereinbefore mentioned; and it is hereby directed, that no Country Cars, Drays or other Carriages coming to any of the Markets in *Ireland*, shall be detained or employed against the Will of the Owners, in carrying the Baggage of the Army, on any Pretence whatsoever.

One Third of Rate to be paid before Carriages proceed on March.

LXXXIII. And be it further enacted, That the Officer commanding the Party for whose Use any such Carriage or Horse shall be impressed in *Ireland* is hereby required, before the Owner of any Carriage or Horse in *Ireland* shall be compelled to take any Loading, or be forced to proceed on the March with his Carriage, to pay or cause to be paid down in Hand to the Owner of such Carriage or Horse, or to his Servant, One third Part of the full Sum to which the Owner of such Carriage or Horse would be entitled for the March in the said Warrant directed to be made, according

according to the Rate so fixed for the same as aforesaid; and every such Payment shall be made, if required, in the Presence of a Justice of the Peace, Constable or Petty Constable.

LXXXVIII. Provided always, and be it further enacted, That it shall not be lawful to quarter or billet, in any Part of the United Kingdom, any Officer or Soldier upon or in the House or Residence of any Foreign Consul duly accredited as such; any Thing in this Act, or in any Act or Acts of Parliament, or Law or Custom, to the contrary notwithstanding.

No Officer, &c. to be quartered upon any Foreign Consul.

LXXXIX. And be it further enacted, That the Carriages for the Service of the Forces from time to time quartered or marching in *Scotland* shall be provided in like Manner and at the Rates, and the Furnisher of such Carriages shall be paid, as was directed by the Law in force in *Scotland* at the Time of its Union with *England*: Provided always, that a Cart with One or more Horses, for which the Furnisher shall demand and receive the Sum of Nine Pence *per* Mile, shall be required to carry Fifteen Hundredweight at the least.

Carriages in *Scotland* how to be provided.

XCI. And for the better Preservation of Game and Fish in or near such Places where any Officers shall at any Time be quartered; Be it further enacted, That if, from and after the said Twenty fourth Day of *March* One thousand eight hundred and twenty six, any Officer shall, without Leave first had and obtained in Writing from the Person or Persons entitled to grant such Leave, take, kill or destroy any Hare, Pheasant, Partridge or any other Sort of Game, or any Fish, within the United Kingdom of *Great Britain* and *Ireland*, and upon Complaint thereof shall be, upon Oath of One or more credible Witness or Witnesses, convicted before any Justice or Justices of the Peace, who is and are hereby authorized to hear and determine the same, every Officer so offending shall for every such Offence forfeit the Sum of Five Pounds, to be distributed among the Poor of the Place where such Offence shall be committed.

Officers or Soldiers destroying Game or Fish.

Penalty.

XCIX. And be it further enacted, That if any Officer, Serjeant, Soldier or other Person shall at any Time wilfully and knowingly enlist any Man to serve in His Majesty's Regular Forces, or in the Forces of the *East India* Company, who at the Time of such enlisting shall be enrolled or engaged to serve in the Militia, every such enlisting shall be deemed null and void; and every Officer, Serjeant, Soldier or other Person to whom any Person shall offer himself to enlist in His Majesty's Regular Forces, or in the Forces of the *East India* Company, shall ask such Person whether he does or does not belong to the Militia; and every Justice of the Peace or Magistrate, before whom any Person shall be taken for the Purpose of being attested under the Provisions of this Act, shall, before he shall attest or swear the Recruit, read or cause to be read to him the Notice contained in the Schedule to this Act annexed marked (DD), and shall examine him as to whether he does or does not belong to the Militia, and shall require the Recruit to sign a Declaration in the Form in the said Schedule; and in case any Militia Man, at the Time of offering to enlist as aforesaid, shall deny to the Officer, Serjeant or other Person recruiting for Men to enlist and serve in His Majesty's Regular Forces, or in the Forces of the *East India* Company, that he is, at the Time of his offering so to enlist,

Enlistment of a Militia Man into the Regulars, or into Forces of the E. I. C. void.

Persons offering to enlist to be asked whether they belong to the Militia.

Before Recruits are attested, Justice shall read the Notice contained in Schedule (DD)

and examine them as herein mentioned.

Militia Man denying that he belongs to Militia.

Penalty.

Such Militia Man to serve in Regular Forces in U. K. during Time Militia is disembodied.

enlist, a Militia Man then actually enrolled and engaged to serve, or in case any Militia Man shall deny to the Justice of the Peace or Magistrate by or before whom he shall be taken to be sworn and attested, that he belongs to the Militia, every Militia Man so offending shall, on Conviction thereof before any One Justice of the Peace of the County where the Offence was committed, or elsewhere in the United Kingdom, either upon Oath of One Witness or upon his own Confession, or upon the Production of the Attestation and the before mentioned Declaration of such Person, certified by the Secretary at War or Deputy Secretary at War, be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprize for and during any Time not exceeding Six Months, over and above any Penalty or Punishment to which such Person so offending is or shall be otherwise liable; and every Person so offending shall from the Day on which his Engagement to serve in the Militia shall end, and not sooner, belong as a Soldier to the Corps of His Majesty's Regular Forces, or of the *East India Company's Forces*, into which he shall have so enlisted: Provided always, that every such Person shall be liable to serve within the United Kingdom of *Great Britain and Ireland* in the Regiment, Battalion or Corps of His Majesty's Regular Forces in which he has so enlisted, during all the Time the Militia to which he shall belong shall remain disembodied, or shall not be called out for Training or Exercise, and shall during all such Time be subject to all the Provisions of this Act, and liable to be apprehended and dealt with and punished as a Deserter from the Corps in which he shall have so enlisted, if he shall neglect or refuse to join and serve in such Corps as aforesaid.

SCHEDULE (DD).

NOTICE.

ANY Man who is enrolled in the Militia, and who, upon offering to enlist into the Army, denies that he belongs to the Militia, is liable upon Conviction before a Magistrate to be committed to Prison for Six Months, over and above any other Penalty or Punishment which he may thereby incur for obtaining money on false Pretences.

DECLARATION OF THE RECRUIT.

I do hereby acknowledge that the above Notice has been read over to me, and that I was strictly questioned by * whether I did or did not belong to the Militia, and that I answered that I did not. I also hereby declare, that I did not then and do not now belong to the Militia.

Signed in my Presence

_____ { Signature of Recruit.

Justice of the Peace.

* This Blank to be filled up by the Name of the Noncommissioned Officer or Man who actually enlisted the Recruit.

[See Cap. 24. post.]

C A P. XI.

An Act for the Regulating of His Majesty's Royal Marine Forces while on Shore. [22d March 1826.]

[*This Act is the same and the Schedules are also the same as 6 G. 4. c. 6. except as to Dates and the Sections that are here retained.*]

XL. PROVIDED always, and be it further enacted, That it shall not be lawful to quarter or billet, in any Part of the United Kingdom, any Officer or Marine upon or in the House or Residence of any Foreign Consul duly accredited as such; any Thing in this Act, or in any Act or Acts of Parliament, or Law or Custom to the contrary notwithstanding.

No Officer, &c. to be quartered on any Foreign Consul.

XLII. And be it further enacted, That it shall be lawful for any Two Justices of the Peace, or any Two Magistrates, within their respective Jurisdictions, to grant or transfer any Licence for selling Ale by retail, or Cider or Perry, to be drank or consumed in any House or Houses or Premises where more Houses or Premises than One shall be held together by the same Person or Persons as a Canteen, or any Licence to sell Spirituous Liquors or Strong Waters, or Wine or Liquor, by retail, to any Person or Persons applying for the same, who shall hold any Canteen under any Lease thereof, or any Agreement or other Authority from the Lords Commissioners of the Admiralty, or from the Paymasters and Inspectors General of all His Majesty's Royal Marine Forces, without regard to the Time of Year or any Notices or Certificates specified or required in relation to the applying for or granting any such Licences; any Thing in any Act or Acts of Parliament to the contrary notwithstanding; and it shall also be lawful for His Majesty's Commissioners of Excise in *England, Ireland and Scotland* respectively, or any Person appointed or employed by the said Commissioners in *England or Ireland* respectively in that behalf, or for any Collector or Supervisors of Excise within their respective Districts, and they are hereby required to grant Licences for selling Beer or Ale by retail, or Cider or Perry, to be drank or consumed in the Houses or Premises occupied as a Canteen of the Person or Persons applying for such Licence, or any Licence to sell Spirituous Liquors or Strong Waters, or Wine or Liquors, by retail, to any such Person or Persons who shall hold any such Canteen under any such Licence or Transfer of any such Licence of any Justice or Magistrate as aforesaid; and it shall also be lawful for any Person or Persons holding any such Canteen under any such Lease, Agreement or Authority as aforesaid, and having such Licences as aforesaid, to keep such Canteen, and to utter and sell therein, and in the Premises thereto belonging, and not elsewhere, Victuals and all such exciseable Liquors as he and they shall be licensed and empowered to sell under the Authority and Permission of any such Excise Licence as aforesaid, without being subject to any Penalty or Forfeiture; any Thing in any Act or Acts of Parliament to the contrary notwithstanding.

Justices may grant or transfer Licences for selling Ale, &c. as herein mentioned.

And Commissioners of Excise are required to grant Licences to such Persons.

XLVI. And Whereas great Inconvenience often arises from there being no Justice of the Peace or Magistrate residing near to Places specified in Routes at which Royal Marines are to halt and

For providing Carriages at Places distant from Residence of Justice of Peace.

Lists to be made out of Persons liable to furnish Carriages, and all Orders to be made therefrom in Rotation.

Carriages in Scotland how to be provided.

Carts to carry Weight as herein mentioned.

Officers destroying Game, &c.

Penalty.

‘ and be billeted and quartered on the March, to issue Warrants ‘ for providing of Carriages;’ For Remedy whereof be it enacted, That it shall be lawful for any Constable, Tithingman or Headborough, duly authorized for that Purpose by Warrant under the Hand and Seal of any Justice or Justices of the Peace residing nearest to such Place or Places, to make and give Orders for the providing of Carriages for the Baggage of Royal Marines on March, and to appoint Persons having Carriages within their respective Liberties or Jurisdictions to provide and furnish such Carriages, without having any special or particular Warrant for that Purpose; and all such Orders and Appointments shall be and be deemed to be as valid and effectual in all Respects and to all Intents and Purposes as if the same had been made and given by the Justice or Justices of the Peace having such Authority: Provided always, that every such Justice of the Peace shall, at the Time of giving such Warrant and Authority, and thereafter once in each Year, or oftener if necessary, cause a List or Lists to be made out of all Persons liable to furnish such Carriages under such Warrant, and of the Number and Description of Carriages belonging respectively to the Persons so liable to be required to furnish Carriages for Baggage or for Troops on the March; and such Lists shall, at all seasonable Hours, be open to the Inspection of all Persons whose Names shall be inserted therein; and all Orders and Appointments for such Carriages shall be made and taken from such Lists in regular Rotation as far as the same can be done, so as that the providing such Carriages shall be equally distributed among the several Persons liable to furnish the same under the Provisions of this Act.

LII. And be it further enacted, That the Carriages for the Service of the Royal Marine Forces quartered or marched in *Scotland* shall be provided in like Manner and at the Rates, and the Furnisher of such Carriages shall be paid as was directed by the Laws in force in *Scotland* at the Time of the Union, with regard to furnishing Carriages for Land Forces: Provided always, that a Cart with One or more Horses, for which the Furnisher shall demand or receive Nine Pence *per* Mile, shall be required to carry Fifteen Hundredweight at the least.

‘ LV. And for the better Preservation of the Game and Fish ‘ in or near such Place where any Officers shall at any Time be ‘ quartered,’ Be it enacted, That if from and after the said Twenty fourth Day of *March* One thousand eight hundred and twenty six, any Officer shall, without Leave first had and obtained from the Person or Persons entitled to grant such Leave, take, kill or destroy any Hare, Pheasant, Partridge or any other Sort of Game, or any Fish, within the Kingdom of *Great Britain* and *Ireland*, and upon Complaint thereof shall be, upon Oath of One or more credible Witness or Witnesses, convicted before any Justice or Justices of the Peace, who is and are hereby empowered and authorized to hear and determine the same; (that is to say,) every Officer so offending shall, for every such Offence, forfeit the Sum of Five Pounds, to be distributed among the Poor of the Place where such Offence shall be committed.

C A P. XII.

An Act for exonerating a certain Estate called *Maes Llemystin*, situate in the Parish of *Llangadfan* in the County of *Montgomery*, belonging to *Charles Dallas* Esquire, from the Claims of the Crown. [22d March 1826.]

“ WHEREAS *Charles Dallas* of *Llemystin* in the County of *Montgomery*, Esquire, was appointed Receiver General of the Land Tax and Assessed Taxes for the Counties of *Brecon*, *Radnor* and *Montgomery*, in the Month of *October* One thousand eight hundred and twenty three; and the said *Charles Dallas*, together with Sureties approved by His Majesty's Commissioners for the Affairs of Taxes, are by a Bond of Record jointly and severally bound to His Majesty, in a large Penalty, for the due Execution by the said *Charles Dallas* of the said Office of Receiver General: And Whereas the said *Charles Dallas* hath passed his Accounts as such Receiver General as aforesaid for the Year ending the Fifth Day of *April* One thousand eight hundred and twenty three, and is prepared to pass his Accounts for the Year ending the Fifth Day of *April* One thousand eight hundred and twenty four, and he hath duly paid all his Balances and Sums of Money received by him into His Majesty's Exchequer, according to the Contract entered into by him with the said Commissioners for the Affairs of Taxes at the Time of his Appointment: And Whereas at the Time the said *Charles Dallas* was so appointed to the said Office of Receiver General, he was and still is seised or possessed of an Estate in the Township of *Maes Llemystin*, and in the Parish of *Llangadfan* in the County of *Montgomery*, commonly called *Maes Llemystin*, consisting of a Mansion House and about One thousand nine hundred and thirty one Acres of Land: And Whereas under the Provisions of an Act passed in the thirteenth Year of the Reign of Queen *Elizabeth*, intituled *An Act to make the Lands, Tenements, Goods and Chattels of Tellers, Receivers, et cetera, liable to the Payment of their Debts*, and under the Provisions of an Act passed in the Twenty fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the more easy and effectual Sale of Lands, Tenements and Hereditaments of Crown Debtors, or of their Sureties*, all the Lands, Tenements and Hereditaments of which the said *Charles Dallas* was seised on the Day on which he became an Officer or Accountant to the Crown, or has been seised at any Time since, are, and during such Time as he shall continue such Officer or Accountant, and until his ultimate Balance shall be paid into the Exchequer, and a *Quietus* obtained for the same, will be liable to be put in Execution and sold for the Payment of his Arrears in the Collection and Receipt of the said Taxes and Duties, and in consequence thereof the said *Charles Dallas* is unable to make a good Title to a Purchaser of the said Estate: And Whereas inasmuch as the said *Charles Dallas* hath duly paid up all his Balances and passed his Accounts as such Receiver General as aforesaid, down to the Fifth Day of *April* One thousand eight hundred and

13 Eliz. c. 4.

25 G. 3. c. 35.

‘ twenty three inclusive ; and inasmuch as all Arrears and Duties
 ‘ to be from time to time hereafter received by the said *Charles*
 ‘ *Dallas* will be effectually secured by the other Property of the
 ‘ said *Charles Dallas* (independently of the said Estate called
 ‘ *Maes Llemystin*), and by the said Bond of the said *Charles*
 ‘ *Dallas* and his Sureties ; and inasmuch as the said *Charles Dal-*
 ‘ *las's* Sureties are satisfied that the other Property of the said
 ‘ *Charles Dallas*, independently of the said Estate, forms an
 ‘ ample Protection to them for any Claim that may be made
 ‘ against them under their Bond as Sureties for the said *Charles*
 ‘ *Dallas*, and are willing to consent that the said Estate should
 ‘ be discharged from the Claims of the Crown :’ To the End
 therefore that a good Title may be made to the said Estate to
 any Purchaser or Purchasers, Mortgagee or Mortgagees thereof,
 notwithstanding such Claims ; May it please Your most Excel-
 lent Majesty (at the humble Petition of the said *Charles Dallas*)
 that it may be enacted ; And be it enacted by the King’s most
 Excellent Majesty, by and with the Advice and Consent of the
 Lords Spiritual and Temporal, and Commons, in this present Par-
 liament assembled, and by the Authority of the same, That from
 and after the passing of this Act the said Estate in the Town-
 ship of *Maes Llemystin*, and in the Parish of *Langadfan* in the
 County of *Montgomery*, and every Part and Parcel thereof, with
 the Rights, Members and Appurtenances thereto belonging, and
 all the Estate, Right, Title and Interest of the said *Charles Dal-*
las and his Heirs therein and thereto, shall be, and all and every
 Purchasers or Purchaser or Mortgagees or Mortgagee of the said
 Premises or any Part thereof, and their respective Heirs, Exe-
 cutors, Administrators and Assigns shall have, hold and enjoy
 the same and every Part thereof acquitted and absolutely dis-
 charged of and from the Arrears and Debts which have become
 due to His present Majesty, or which may accrue or become due
 to His present Majesty, His Heirs or Successors, by or from
 the said *Charles Dallas*, on account of or in respect to the Office
 so held by him as aforesaid, or any Matter, Cause or Thing in
 anywise relating thereto, and of and from all Bonds and Obliga-
 tions made by the said *Charles Dallas* to His present Majesty, or
 to be made by the said *Charles Dallas*, to His present Majesty,
 His Heirs or Successors, during such Time as he the said *Charles*
Dallas shall be or remain an Accountant or Debtor to His pre-
 sent Majesty, His Heirs or Successors, and all Actions, Suits,
 Claims and Demands whatsoever, which His Majesty, His Heirs
 or Successors, might have or be entitled unto if this Act had
 not been made, on account or in respect of the same or any of
 them, and of and from all Right, Title, Interest, Property, Claim,
 and Demand whatsoever of His said Majesty, His Heirs or Suc-
 cessors, in, to, from, out of or upon the same Estate, and every
 or any Part thereof ; any Thing in the said Act of Parliament
 passed in the Reign of Her said late Majesty Queen *Elizabeth*,
 or in any other Act of Parliament relating to Accountants or
 Debtors to the Crown, to the contrary notwithstanding.

The Estate of
Llemystin and
Llangadfan
 exonerated
 from all Claims
 of the Crown
 on account of
 the Debts due
 or to become
 due from C.
Dallas, Esq.
 as Receiver
 General of
 Land and As-
 sessed Taxes
 for the Coun-
 ties herein men-
 tioned.

C A P. XIII.

An Act to alter and amend an Act passed in the Fifty fourth Year of the Reign of His late Majesty King *George the Third*, for vesting in His Majesty, His Heirs and Successors, for ever, Part of the Ground and Buildings now belonging to the Society of *King's Inns, Dublin*, for erecting thereon a Repository for Public Records in *Ireland*.

[11th April 1826.]

WHEREAS by an Act passed in the Fifty fourth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act to vest in His Majesty, His Heirs and Successors, for ever, Part of the Ground and Buildings now belonging to the Society of King's Inns, Dublin, for the erecting thereon a Repository for Public Records in Ireland*, it is amongst other Things enacted, that from and after the passing of this Act it shall not be lawful for the said Society of *King's Inns*, or for any other Person whatsoever, to build upon any Part of the said Ground to the South of the said Premises hereby vested in His Majesty, but that the same shall be, remain and continue unbuilt upon: And Whereas it is unnecessary and useless for any Purpose of Security in relation to the Depositories for Public Records, or any Offices connected therewith, mentioned in the said Act, that the Restriction in the said recited Clause should be continued, inasmuch as the Parcels of Ground vested in His Majesty, His Heirs and Successors, under the said recited Act, are fully sufficient and adequate to insulate or secure the said Depositories and Offices in such Manner as may be deemed fit, without requiring the Agreement and Consent in relation to not building, mentioned in the said Act, to be enforced against the said Society of *King's Inns*, the Dean and Chapter, Prebendaries, Choral Vicars and other Persons therein mentioned: And Whereas it is therefore just and expedient to enable the said Society of *King's Inns* to build on their own Ground in their own Possession, and not vested in His Majesty, His Heirs and Successors, under the said Act, and will greatly tend to the Improvement of that Part of the County of *Dublin*: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Part of the said recited Act is hereby repealed; and that it shall and may be lawful for the said Society of *King's Inns*, or any Person deriving by, from or under them, to build upon any Part of Ground of the Society of *King's Inns* to the South of the said Premises by the said recited Act vested in His Majesty, His Heirs and Successors, notwithstanding the said Agreement as Consent mentioned in the said Act, or any other Matter therein contained.

54 G.3. c. 113.
in part repealed.

Society of
King's Inns
may build.

II. And Whereas by the said recited Act a Parcel of Ground, containing in Breadth from North to South Thirty Feet in the clear, and extending in a straight Line from the South End of *King's Inns Place*, mentioned in the said Act, to that Part of *Constitution Hill* adjoining to *Colerain Street*, mentioned

Society may
build on
Ground directed by
recited Act approved by

Commissioners
of Public
Roads on the
terms herein
mentioned.

Such Appro-
bation to be in
Writing under
Hands and
Seals of Com-
missioners.
Width of Pub-
lic Passage.

' in the said Act, is vested in His Majesty, His Heirs and Suc-
' cessors, for the Purpose, as declared by the said Act, that the
' same should be laid out as a public Way or Passage, from the
' shorter and more convenient Communication between the Four
' Courts and the intended Repository or Repositories and Offices
' mentioned in the said Act: And Whereas it will be necessary
' for the Society of *King's Inns* to use Part of the said last men-
' tioned Parcel of Ground in laying out Sites for Chambers and
' in building thereon, if they shall proceed to build Chambers,
' and to lay out a Line of Street or Passage through their Ground
' different from the public Way or Passage proposed in the said
' Act; Be it enacted, That it shall and may be lawful for the
said Society of *King's Inns*, and for all Person or Persons,
Bodies Politic or Corporate, deriving by, from or under them,
to build upon any Part of the said last mentioned Parcel of
Ground which shall be approved of by the Commissioners of
Public Roads appointed under the Commission which issued under
the Great Seal of that Part of the United Kingdom called *Ire-*
land, bearing Date the Thirtieth Day of *August* One thousand
eight hundred and ten, or any Three of them, in Writing under
their Hands and Seals, to be subscribed to a proper Drawing
or Delineation of the said Ground, and of the Parts of the said
last mentioned Parcel of Ground so to be built upon; and that
such Parts of the said last mentioned Parcel of Ground as shall
be so approved of by the said Commissioners of Records as pro-
per to build upon, shall, from the Date of such Approbation so
to be signed by the said Commissioners or any Three of them, and
without any other Act or Assurance, be revested in the said So-
ciety of *King's Inns*, and their Successors for ever, as of their
former Estate, Title, and Interest therein: Provided always, that
in laying out the said Ground a good and convenient public
Street or Passage, not less than Thirty Feet in the clear, leading
from the said *King's Inns Buildings* to the Four Courts, shall be
laid out through the Ground of the said Society.

C A P. XIV.

An Act for the further Amendment of an Act of the First
and Second Years of His present Majesty, for the Esta-
blishment of Asylums for the Lunatic Poor in *Ireland*.

[11th April 1826.]

1 & 2 G. 4. c. 33.

§ 2.

' **W**HEREAS by an Act made in the Session of Parliament
' holden in the First and Second Years of the Reign of
' His present Majesty, intituled *An Act to make more effectual*
' *Provision for the Establishment of Asylums for the Lunatic Poor,*
' *and for the Custody of insane Persons charged with Offences*
' *in Ireland*, it is among other Things enacted, that at any Time
' after the passing of the said Act it shall be lawful for the Lord
' Lieutenant, or other Chief Governor or Governors of *Ireland*,
' by and with the Advice and Consent of His Majesty's Privy
' Council in *Ireland*, to direct and order that any Number of
' Asylums for the Lunatic Poor in *Ireland* shall be erected and
' established in and for such Districts in *Ireland* as to the said
' Lord Lieutenant, or other Chief Governor or Governors, and
' Privy

‘ Privy Council, shall seem expedient : And Whereas several such Asylums have been erected and established, and it may be expedient in certain Cases to change or alter such Districts, and to erect and establish new or additional Asylums in lieu of or in addition to any Asylum or Asylums erected under the said Act ;’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, by and with the Advice and Consent of His Majesty’s Privy Council in *Ireland* (from time to time and at all Times whenever and so often as shall seem expedient to him or them so to do), to direct and order that any Asylum or Asylums for the Lunatic Poor in *Ireland* shall be erected and established in any Place, or in and for any District in *Ireland*, in lieu of or in addition to any Asylum or Asylums erected under the Authority of the said recited Act; and from time to time to alter or change the District or Places in or for which any such Asylum or Asylums shall have been or shall be erected under the Authority of the said recited Act or this Act: Provided always, that every District in which any such Asylum or Asylums shall be erected and established under the said recited Act or this Act, shall be constituted and composed in such Manner as is directed by the said recited Act; and that every such Asylum shall be sufficient to contain such Numbers as are required and directed by the said recited Act; and that the Expence of erecting, establishing, and maintaining every such Asylum shall be raised in such Manner as is required and directed; and that every such Asylum shall be subject to all such Rules and Regulations as are contained in the said recited Act, and in an Act made in the last Session of Parliament for amending the said recited Act; and that the said Acts and this Act shall be construed together as one Act.

Lord Lieutenant, &c. may establish other Asylums; and change District in which any Asylum has been erected. Districts to be constituted as directed by recited Act, and Asylums to be under Regulations of that Act and 6 G. 4. c. 54.

II. And be it further enacted, That if it shall at any Time happen that any Money shall have been raised off any County, County of a City or County of a Town, or any Part thereof, towards defraying the Expences of erecting, establishing, maintaining or supporting of any Lunatic Asylum, and that by reason of any Change of the District or Place in or for which such Asylum shall have been established, such County, County of a City or County of a Town, or any Part thereof, shall be taken out of the District liable to be assessed for such Expences, then and in such Case any Sum or Sums of Money which shall have been raised off such County, County of a City or County of a Town, or such Part thereof as aforesaid, shall be raised off any and every County, County of a City or County of a Town, or any Part or Parts thereof, which shall remain within such District, and all and every Sum and Sums which shall be so raised shall be repaid to the Treasurer of the County, County of a City or County of a Town which shall have been removed from such District; and that whenever any County, County of a City or County of a Town, or any Part or Parts thereof, which shall have been comprised in any former District, shall, by reason of any such Change as aforesaid,

Manner of proceeding where any County, &c. on which Money shall have been raised shall be taken out of any District, and removed to any new District.

aforesaid, be comprised in or shall form Part of any new District, such County, County of a City or County of a Town, or such Part thereof, shall be and is hereby declared to be subject and liable towards the defraying the Expences of any Asylum in or for such new District, in like Manner as is directed by the said recited Acts or either of them, and as if such County, County of a City or County of a Town, or such Part thereof, had been originally comprised in or formed Part of such new District.

Archbishops,
&c. may grant
Land for Lu-
natic Asylums,
as for Churches
under
33 G.2. c.11.
(I.)

Conveyances to
be made either
to Churchward-
ens, as under
that Act, or to
the Commis-
sioners under
1 & 2 G.4. c.33.

Validity of
Grant.

III. And be it further enacted, That from and after the passing of this Act it shall and may be lawful to and for every Archbishop, Bishop, Dean, Dean and Chapter, Archdeacon, Dignitary or Prebendary, to grant, by his or their Deed or Deeds respectively, any Piece or Parcel of Land, not exceeding Six Acres Plantation Measure, as and for the Site of a Lunatic Asylum, in such and the like Manner as such Archbishop, Bishop, Dean, Dean and Chapter, Archdeacon, Dignitary or Prebendary is empowered to do with respect to Land for the Site of a Church and Churchyard in and by an Act passed in the Parliament of *Ireland* in the Thirty third Year of the Reign of King *George* the Second, among other Things, to encourage the Building of new Churches: Provided always, that such Grant shall and may be made either to the Churchwardens of the Parish in which such Land shall be situate, and their Successors for ever, according to the Directions of the said Act of the Thirty third Year of King *George* the Second, or to the Commissioners for General Controul and Correspondence appointed under the said recited Act of the First and Second Years of His present Majesty's Reign, and their Heirs and Successors, as the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, with the Advice of His Majesty's Privy Council in *Ireland*, shall order and direct; and such Grant shall be good and effectual against such Archbishop, Bishop, Dean, Dean and Chapter, Archdeacon, Dignitary or Prebendary, and his and their Successor and Successors; and the Churchwardens of such Parish, and their Successors for ever, or such Commissioners as aforesaid, and their Heirs and Successors, shall be and are hereby empowered and made capable of receiving and enjoying the Benefit of any such Grant for the Purpose aforesaid, in like Manner as by the said Acts or either of them is provided with respect to any Land granted for the Site of a Church and Churchyard or Lunatic Asylum respectively.

C A P. XV.

An Act to amend an Act passed in the Seventh and Eighth Year† of the Reign of King *William* the Third, for the more easy Recovery of Small Tithes. [11th April 1826.]

† Sic.

7 & 8 W.3. c.6.
§ 1.

‘ WHEREAS by an Act passed in the Seventh and Eighth Years of the Reign of King *William* the Third, intituled ‘ *An Act for the more easy recovery of Small Tithes*, it is enacted, ‘ that all and singular the Tithes, commonly called Small Tithes, ‘ with all Oblations and Obventions due to the several Rectors, ‘ Vicars and other Persons, in *England* and *Wales* and *Berwick upon Tweed*, not exceeding the Sum of Forty Shillings, shall ‘ be recovered by Complaint to Two or more Justices of the ‘ Peace

‘Peace within the County, Riding, City, Town Corporate or Place, where the same shall grow due; neither of which Justices is to be Patron of the Church or Chapel where the said Tithes shall arise: And Whereas by an Act passed in the Fifty third Year of the Reign of His late Majesty King George the Third, intituled *An Act for the better Regulation of Ecclesiastical Courts in England, and for the more easy Recovery of Church Rates and Tithes*, the Sum to be recovered for all Manner of Tithes and Offerings is extended to an Amount not exceeding Ten Pounds: And Whereas it is expedient in certain Cases to alter and amend that Part of the said recited Act of King William the Third, which relates to the Jurisdiction before which the said Tithes shall be recovered:’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall and may be lawful, in all Cities, Towns Corporate or other Towns or Places in *England, Wales or Berwick upon Tweed*, where the Justices of the Peace in and for the same are Patrons of the said Church or Chapel where any Tithes or Offerings do or shall arise, for Two Justices of the Peace in and for any adjoining County, Riding or Division, to hear and determine all Complaints for withholding the said Tithes and Offerings, not exceeding the Amount of Ten Pounds; such Complaint to be made in Writing by the said Rector or Vicar or other Person, his Attorney or Agent.

In Places where Justices are Patrons of Church, Tithes to be recovered before Justices of any adjoining County,

II. And be it further enacted, That nothing in this Act shall be construed to repeal or alter any of the Clauses or Provisions of the said recited Acts, or either of them, save and except as to such Parts thereof as are expressly altered or amended by the same.

How far recited Acts repealed,

C A P. XVI.

An Act to consolidate and amend several Acts relating to the Royal Hospitals for Soldiers at *Chelsea and Kilmainham*.

[11th April 1826.]

‘WHEREAS it is expedient to consolidate the Provisions of several Acts relating to the Royal Hospital for Soldiers at *Chelsea* in the County of *Middlesex*;’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act passed in the Forty sixth Year of the Reign of His late Majesty, intituled *An Act for making better Provision for Soldiers*; and also an Act passed in the Forty seventh Year of the Reign of His said late Majesty, intituled *An Act for empowering the Commissioners of Kilmainham Hospital to make Rules and Regulations for the Payment of Pensions to Soldiers on the Establishment of that Hospital*; and also an Act passed in the Fifty second Year of the Reign of His said late Majesty, intituled *An Act to empower the Commissioners of Chelsea Hospital to commute Pensions for a Sum of Money in certain Cases*;

46 G. 3. c. 69.

47 G. 3. Sess. 2. c. 5.

53 G. 3. c. 109.

58 G.3. c.74.

3 G.4. c.57.
wholly repealed.28 G.2. c.1. -
in part re-
pealed.55 G.3. c.133.
in part re-
pealed.57 G.3. c.77.
in part re-
pealed.

Cases; and also an Act passed in the Fifty eighth Year of the Reign of His said late Majesty, intituled *An Act for the further Regulation of Payments of Pensions to Soldiers upon the Establishments of Chelsea and Kilmainham*; and also an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act for transferring such of the Duties of the Commissioners or Governors of Kilmainham Hospital as relate to the Management and Payment of Out Pensions, to the Commissioners of Chelsea Hospital*; and also an Act passed in the Twenty eighth Year of the Reign of His Majesty King George the Second, intituled *An Act for the Relief of the Out Pensioners of the Royal Hospital at Chelsea*, except so much thereof as enacts, that the Treasurer of Chelsea Hospital shall and may withhold and deduct One Shilling in the Pound from and out of all Monies which shall, from and after the Twenty fifth Day of December One thousand seven hundred and fifty five, be applicable to the Payment of Out Pensions, as well as from and out of all Monies which shall be directed to be issued in advance to the Out Pensioners of Chelsea Hospital, from and after the said Twenty fifth Day of December One thousand seven hundred and fifty four, which Monies so deducted shall be applied in the Manner which His Majesty, His Heirs and Successors, shall, by Warrant under His Royal Sign Manual, direct; and also an Act passed in the Fifty fifth Year of the Reign of His said late Majesty, intituled *An Act to grant further Powers to the Commissioners of Chelsea and Greenwich Hospitals, with respect to Pensions on those Establishments*, except so much thereof as enacts, that it shall and may be lawful for the Commissioners and Governors of the Royal Hospital for Seamen at Greenwich, upon all Applications to be hereafter made to them by any Person or Persons claiming Pensions on account of their Services in His Majesty's Navy, to apportion the Pensions which shall be granted to such Person or Persons in their Discretion, according to their Length of Service, allowing in the Apportionment of such Pensions all such Time as the said Person or Persons shall have served previously to his entering into the Navy or Marines, either as a Noncommissioned Officer or Private Marine, or as a Noncommissioned Officer or Private Soldier in any of His Majesty's Land Forces; and also so much of another Act, passed in the Fifty seventh Year of the Reign of His said late Majesty, intituled *An Act for extending the Provisions of an Act of the Fifty fourth Year of His present Majesty, for regulating the Payment of Army Prize Money, and for authorizing the Commissioners of Chelsea Hospital to suspend the Pensions of such Persons as shall be guilty of Frauds in respect of Prize Money or Pensions*, as enacts, that it shall and may be lawful for the Commissioners of the said Royal Hospital at Chelsea, upon Complaint and Proof being made to them of any Fraud, either with respect to the Receipt of Prize Money or Pension, or any other Money in the Nature of Allowance or Bounty Money, or of other gross Misconduct attempted or practised by any Person being a Pensioner of the said Royal Hospital, to suspend or entirely to take away the Pension of the Person so offending, and to issue to the Paymaster of Out Pensions of the said Royal Hospital a Certificate under the Hands of the said Commissioners, or any Three or more

of them, of any Pension being so suspended or taken away; and upon the said Certificate being issued to the said Paymaster of Pensions, that he shall suspend the Payment of the Pension therein mentioned, according to the Tenor of the said Certificate; any Thing in any other Act contained to the contrary thereof in anywise notwithstanding; and also so much of an Act passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act to prevent the illegal pawning of Clothes and Stores belonging to Chelsea Hospital; to give further Powers to the Treasurer and Deputy Treasurer of Chelsea and Greenwich Hospitals, to punish Persons fraudulently receiving Prize Money or Pensions; and to enable the Commissioners of Chelsea Hospital to hold Lands purchased under the Will of Colonel Drouly*, as enacts, that the Commissioners of the said Royal Hospital, and their Successors, shall and may cause the Clothes, Linen, Stores, and other Articles belonging to the said Hospital, capable of being marked, to be from time to time marked, stamped, or branded with the Words "*Chelsea Hospital*;" and that if any Pensioner, or other Person or Persons, shall pawn, sell, or illegally dispose of, or that if any Pawnbroker or other Person or Persons shall take in pawn, buy, exchange or receive any Clothes, Linen or other Goods, marked, stamped or branded as aforesaid, upon any Account or Pretence whatever, such Mark, Stamp or Brand thereon to be considered and taken as sufficient, without further Proof, that the Articles so marked, stamped or branded are the Property of the said Commissioners; or that if any Pensioner, or other Person or Persons, shall cause such Mark or Stamp, Marks or Stamps, to be taken out, obliterated or defaced, from any of the Articles belonging to the said Royal Hospital, the Person or Persons so offending shall forfeit for every such Offence the Sum of Ten Pounds, upon Conviction thereof by the Oath of One or more credible Witness or Witnesses, before any One or more of His Majesty's Justices of the Peace of the County wherin the said Offence or Offences shall be committed; and that such Penalty shall be levied by Warrant under the Hand and Seal of Hands and Seals of the said Justice or Justices of the Peace, by Distress and Sale of the Goods and Chattels of the said Offender or Offenders; and that One Moiety of the said Penalty or Penalties shall be paid to the Informer or Informers, and the other Moiety shall go and be paid to the Use of the said Hospital; and that in case any Offender, who shall be convicted of having pawned, sold or illegally disposed of, or bought, exchanged, received or taken in pawn, any such Clothes, Linen or other Goods as aforesaid, or of having caused such Mark or Stamp, Marks or Stamps, as aforesaid, to be taken out or defaced, shall not have (or shall at the Time of Conviction declare that he or she has not) sufficient Goods and Chattels whereon Distress may be made to the Value of the said Penalty or Penalties recovered against him or her for such Offence or Offences, or that in case it shall be considered by the Justice or Justices before whom such Offender shall be convicted, that the Offender so convicted is likely to abscond before the said Penalty or Penalties can be levied by Distress, that then and in every such Case such Justice or Justices of the Peace shall and may, by Warrant under his or their Hand and Seal or Hands and

5 G. 4. c. 107.
in part re-
pealed.

and Seals, commit the Offender to the Common Gaol of the County where such Offence or Offences shall be committed, there to remain without Bail or Mainprize for the Space of Three Calendar Months, or until the said Penalty or Penalties shall be paid; and that all Actions or Suits to be brought or commenced by or on behalf of the Commissioners of the said Royal Hospital for Soldiers at *Chelsea*, shall be brought, commenced, and prosecuted in the Name of the Treasurer or Deputy Treasurer of the said Royal Hospital for the Time being; and that upon the Trial or Hearing of any such Action or Suit, it shall not be necessary to produce the Commission appointing the Commissioners of the said Royal Hospital, nor the Warrant or Authority appointing the said Treasurer or Deputy Treasurer to their respective Offices, but that the general acting of the said Treasurer or Deputy Treasurer in their said respective Offices of Treasurer or Deputy Treasurer shall be deemed sufficient Proof of the due Appointment of them respectively to their said respective Offices; and that in all Indictments, Informations, and other Proceedings against any Person or Persons, for feloniously stealing or taking away, or pawning or unlawfully disposing of, or buying, exchanging, receiving or taking in pawn, any Goods or Property belonging to the said Royal Hospital, or the Commissioners of the same, it shall be sufficient to charge the same as being the Property of the Commissioners of the Royal Hospital for Soldiers at *Chelsea*; shall be and the same is and are hereby declared to be repealed: Provided always, that the Repeal of the said first recited Act of Parliament of the Forty sixth Year of His late Majesty, intituled *An Act for making better Provision for Soldiers*, shall not take away or affect any Right, Claim or Title to the Grant of any Pension existing at the Time of passing this Act, or any Order or Regulation respecting the same, except so far as is especially provided for by this Act, but the same shall remain in full Force and Effect.

Proviso as to
Repeal of
46 G.S. c.69.

And as to Re-
peal of present
and repealed
Acts.

Pensions for
disabled Sol-
diers to be un-
der Commis-
sioners of
*Chelsea Hos-
pital*;

so Out Pensions
of *Kilmankham*
Hospital.

II. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend so as to revive or give any Force or Effect to any Act or Acts repealed by the said recited Acts, or any of them; but such Acts shall be and continue repealed in such and the like Manner as if this Act had not been made.

III. And be it further enacted, That from and after the passing of this Act, the Payment of all Pensions, Allowances and Relief, granted or to be granted to disabled, invalid and discharged Soldiers, whether payable at *Chelsea* or elsewhere, shall be under the Management, Controul, Authority and Direction of the Lords and others, Commissioners of the Royal Hospital for Soldiers at *Chelsea* in the County of *Middlesex*.

IV. And be it further enacted, That all Out Pensions granted or to be granted to disabled, invalid or discharged Soldiers, or other Persons, which were formerly made by the Commissioners or Governors of *Kilmankham* Hospital, and which were under the Power, Management, Controul or Direction of the said Commissioners or Governors, shall be made by and under the Power, Management, Controul and Direction of the said Lords and others, Commissioners of the said Royal Hospital at *Chelsea*.

V. And

V. And be it further enacted, That it shall be lawful for the Commissioners of the said Hospital at *Chelsea* to make such Orders, Rules and Regulations, and from time to time to alter the same, in relation to the Payment of any such Pensions, Allowances or Relief to any Soldier entitled thereto, and also as to any Certificates, Vouchers, Receipts or Orders, or other Documents for the better regulating, managing and making such Payments, and to require such Proofs and Affidavits relating thereto as may be requisite for the ordering, continuing or securing the due Payment of such Pensions, Allowances and Relief, either at *Chelsea* or in any other Place where the same shall be payable to the Persons entitled thereto, as the Case may be: Provided always, that every such Order, Rule or Regulation may from time to time be revoked or altered by any Warrant, Order or Instruction under His Majesty's Royal Sign Manual.

Commissioners of *Chelsea* Hospital to make Regulations as to Payment of Pensions;

which may be altered by His Majesty.

VI. And be it further enacted, That the Commissioners or Governors of *Kilmainham* Hospital, or any Three or more of them, shall, once at the least in every Month, upon some Day to be publicly notified, meet at the said Hospital for the Purpose of examining the Claims of Persons who may suppose themselves entitled to Out Pensions, on account of Service in any Branch of His Majesty's Army, or on account of any Disability acquired in such Service, and shall take down the Name and Description, Place of Abode, Length and Particulars of Service and Cause of Discharge, and Nature of Hurt and Disability, if any, of every Person so applying; and shall, as soon as possible after such Examination, transmit a Certificate of the Particulars so taken, and of the Rate of Pension which the said Commissioners or Governors may think proper to recommend for each Pensioner, to the said Commissioners of the said Hospital at *Chelsea*, which said Certificate shall be in such Form as the said Commissioners for the said Hospital at *Chelsea* shall from time to time direct; and the said Commissioners of the said Hospital at *Chelsea* shall, upon Receipt of such Certificate, or as soon after as conveniently may be, determine what Amount of Pension each Person named therein is entitled to by virtue of his Services in any Branch of His Majesty's Army, or in respect of any Disability, and in conformity with any existing Order in Council, or Rules or Regulations made by His Majesty for fixing the Pensions and Allowances to which Noncommissioned Officers and Soldiers are to become entitled on their Discharge, by reason of the Expiration of certain Periods of Service, or as invalid, disabled or wounded; and the said Commissioners of the said Hospital at *Chelsea* shall direct the Agent for the Out Pension of the said Hospital to pay the said Pensions accordingly; which said Pensions are to be paid and remitted to the Persons entitled thereto, in like Manner as the *Chelsea* Hospital Out Pensioners of the said Hospital at *Chelsea* are now paid.

Commissioners of *Kilmainham* to meet to examine Claims for Pensions;

and transmit Particulars to Commissioners of *Chelsea* Hospital; who shall determine Rate of Pension.

How such Pensions paid.

VII. And be it further enacted, That from and after the passing of this Act, the Commissioners or Governors of *Kilmainham* Hospital shall have Power to receive as In Pensioners of the said Hospital all Out Pensioners of the said Hospital at *Chelsea*, or who were formerly Out Pensioners of *Kilmainham* Hospital, residing in *Ireland*; and that all the Pensioners received into *Kilmainham*

Commissioner of *Kilmainham* may receive Out Pensioners into that Hospital.

Kilmainham Hospital shall be subject to the like Cesser of Pension, and Claim to Pension, upon their Admission into the said Hospital, and to the like Removal and Expulsion therefrom in case of Misconduct, as the Pensioners of the said Hospital at *Chelsea* are by this Act made subject and liable to.

Notice to be given to *Chelsea* Hospital, for Purpose herein mentioned.

VIII. And be it further enacted, That when and as often as any Out Pensioner shall be admitted as an In Pensioner of the said Hospital at *Kilmainham*, Notice thereof, with all the Particulars relating to the same, shall, within Fourteen Days of such Admission, be transmitted by the said Commissioners or Governors of *Kilmainham* Hospital to the said Commissioners of the said Hospital at *Chelsea*, in order that the Pensioner or Pensioners so admitted may be struck off the Out Pension List of the said Hospital at *Chelsea*.

Commissioners of *Chelsea* Hospital may call for Books, Papers, &c. from Commissioners of *Kilmainham* Hospital.

IX. And be it further enacted, That it shall and may be lawful for the said Commissioners of the said Hospital at *Chelsea* to call for, and the Commissioners of *Kilmainham* Hospital are hereby directed, within Ten Days after Notice to that Effect shall be to them given, to furnish and transmit or deliver to the said Commissioners of the said Hospital at *Chelsea*, or to such Person or Persons as they shall authorize to receive the same, all such Books, Papers, Lists, Documents or other Writing, in the Possession or under the Controul of the said Commissioners or Governors of *Kilmainham* Hospital, as shall relate to any Persons at any Time heretofore admitted or appointed Out Pensioners of the said Hospital at *Kilmainham*, together with the Registry of Service of the said Pensioners, and the Discharges of all such Soldiers as have been admitted Pensioners of the said Hospital at *Kilmainham*, and all Papers whatsoever relating to Persons who shall have been registered with a View to Pensions being granted to them prospectively, and all such other Papers relating to Out Pensions in the Custody of the said Commissioners or Governors of *Kilmainham* Hospital, as to the Commissioners of the said Hospital at *Chelsea* shall from time to time seem necessary.

Soldiers entitled to Pension to have Benefit of Regulations and Orders in force at the Time of their Enlistment. Exception.

X. And be it further enacted, That every Soldier who shall from and after the passing of this Act become entitled to his Discharge by reason of the Expiration of any Period of Service fixed in any Orders and Regulations made by His Majesty in that behalf, or shall have been discharged by reason of being an Invalid, or disabled, or having been wounded, shall thereupon be entitled (except in the Cases hereinafter mentioned of Admission into either of the said Hospitals at *Chelsea* or *Kilmainham*, or Expulsion therefrom,) to receive such Pension, Allowance or Relief, as shall have been fixed in any Orders or Regulations made by His Majesty, in relation to such Cases respectively, and in force at the Time of his Enlistment, and for the Payment whereof Money shall have been voted by Parliament; and every such Soldier shall receive the same under the Provisions of this Act, or any Rules or Regulations made in pursuance thereof, by the said Commissioners of the said Hospital at *Chelsea*, as aforesaid.

Regulations and Estimates to be annually laid before Parliament.

XI. Provided always, and be it further enacted, That all Orders and Regulations from time to time made by His Majesty, in relation to the Discharge of Soldiers after the Expiration of any Periods of Service, and also in relation to any Pension, Allowance

or

or Relief, to any discharged or invalid, disabled or wounded Soldiers, shall annually be laid before Parliament; and that Estimates of the Amount of all such Pensions, Allowances and Relief, and of all contingent Expences and Charges relating to the Payment, Controul and Management thereof, shall also be annually laid before Parliament.

XII. Provided always, and be it further enacted, That every Soldier enlisted under any Orders or Regulations in force at the passing of this Act shall henceforth remain entitled to all the Benefit of all the Provisions contained in all such Orders and Regulations made by His Majesty, as shall have been or were in force at the Time of his so enlisting, notwithstanding such Orders or Regulations may be hereafter altered, varied or annulled, and new Orders or Regulations made in lieu thereof, and notwithstanding this Act or any Thing herein contained to the contrary thereof.

Alteration of Regulations not to affect Claims previously existing.

XIII. And be it further enacted, That it shall and may be lawful for the said Commissioners of the said Hospital at *Chelsea*, and they are hereby authorized and empowered, upon Complaint and Proof to their Satisfaction being made to them of any Fraud, with respect to the claiming, obtaining or receiving of any Pension or other Money from the said Hospital at *Chelsea*, or through the Commissioners or Governors of *Kilmainham* Hospital, or of other gross Misconduct attempted or practised by any Person being a Pensioner, entitled or claiming to be a Pensioner of the said Royal Hospital, to suspend or take away the Pension, or altogether reject, object to or refuse the Title or Claim to Pension of the Person so offending, and to issue to the Paymaster of Out Pensions of the said Hospital at *Chelsea* a Notice in Writing, under the Hand of the Secretary, of any Pension being so suspended or taken away, and upon the said Notice being issued to the said Paymaster of Pensions, he shall suspend the Payment of the Pension therein mentioned, according to the Tenor of the said Notice; any Thing in any other Act or herein contained to the contrary thereof in anywise notwithstanding.

Commissioners of Chelsea Hospital empowered, in case of Frauds or Misconduct, to take away or refuse Pensions.

Notice.

XIV. And be it further enacted, That it shall be lawful for the said Commissioners of the said Hospital at *Chelsea*, and they are hereby authorized and empowered, as often as Occasion shall arise, to remove and expel from the said Hospital at *Chelsea* any In Pensioner of the said Hospital convicted of any Felony or Misdemeanor, or who shall in any Way misconduct himself, so as to render him undeserving, in the Judgment of the said Commissioners, to be continued any longer a Pensioner of the said Hospital at *Chelsea*.

Also to expel In Pensioners guilty of Offences, or misconducting themselves.

XV. And be it further enacted, That it shall be lawful for the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* to order and direct that any Pensions, Allowances and Relief payable to Soldiers or Persons as aforesaid, for the Payment whereof Money shall have been voted or shall hereafter be voted by Parliament, shall be paid or continued to be paid by any Receiver General of the Land Tax, or Collector of the Cess in *Scotland*, or any Collector of the Duties under the Customs or Excise, or any Collector of the Duties under the Management of the Commissioners for the Affairs of Taxes, or

Treasury may direct Pensions to be paid by certain Public Officers.

any

Advances to be repaid.

Justices of the Peace, and others, may inquire into the Truth of Claims, &c. upon Oath.

False Oath.

Punishment.

Soldiers not Natives of G. B., in certain Cases may have Out Pensions commuted for a Sum certain by Order of His Majesty.

How Commutation Money to be paid.

any other Public Officers, out of any Public Money in their Hands respectively; and that the Vouchers and Receipts for the Payment of such Money shall be taken as Cash in the Accounts, and in part of the Duties collected by such Receivers General or Collectors, or other Public Officer respectively; and all such Sums of Money so advanced under any such Rule or Regulation for any such Payment shall be by the Agent for the Out Pensions for the Time being repaid to the Account of the Duties out of which the same shall have been paid, or in such other Manner as the said Commissioners of His Majesty's Treasury shall direct.

XVI. And be it further enacted, That it shall be lawful for any Justice of the Peace or Magistrate, or any Receiver General of the Land Tax, Collector of the Cess in *Scotland*, Collector of the Customs or Collector of the Excise, or any other Public Officer, to inquire into the Truth of any Certificate, Voucher or Document required by any Rules or Regulations, and produced to him by any Person claiming any Pension, Allowance, or Relief under any such Certificate or Voucher, by the Oath or Affirmation of the said Person, which Oath or Affirmation any such Justice of the Peace or Magistrate, or Receiver General, or Collector, or other Public Officer as aforesaid, is hereby authorized and required to administer, and upon being satisfied of the Truth of such Certificate or Voucher, to testify the same on the Back of such Certificate or Voucher; and every Person who shall in any such Oath or Affirmation knowingly swear or affirm any Matter or Thing which shall be false or untrue, every such Person so offending, and being thereof lawfully convicted, shall and he is hereby declared to be subject and liable to the like Pains and Penalties as any Person convicted of Perjury is by any Law now in force subject and liable to.

XVII. And be it further enacted, That it shall be lawful for the said Commissioners of the said Hospital at *Chelsea* to give to any Soldier not being a Native of the United Kingdom, who may have been or may be discharged, and may be entitled to any Out Pension or Allowance from the said Hospital at *Chelsea*, by reason of Service or having become invalid or disabled, and shall be desirous of living out of *England*, and who may be recommended for that Purpose by any Order of His Majesty, to be signified to the said Commissioners by His Majesty's Secretary at War, such Sum of Money in gross, in lieu of such annual Pension or Allowance, as may be directed by the Secretary at War, with the Approbation of the Lords Commissioners of His Majesty's Treasury in that behalf; any Thing contained in this or any other Act or Acts to the contrary notwithstanding.

XVIII. And be it further enacted, That the Money to be paid as aforesaid to any such Person, as an Equivalent for the Pension or Allowance to which he is entitled, shall be paid out of any Money voted for or applicable to the Payment of Pensions or Allowances to discharged Soldiers, under the Management of the said Commissioners of the said Hospital at *Chelsea*, and the Receipt of the Person receiving such Equivalent shall be a full Discharge to the said Commissioners for the said Sum or Sums of Money so paid by them as aforesaid, and shall also be a Discharge by

by the Person giving such Receipt of all Claims to any future Payment of the said Pension or Allowance.

XIX. And be it further enacted, That it shall be lawful for the Agent for the Time being of the Out Pensioners of the said Hospital at *Chelsea*, and he is hereby empowered and required, to pay and discharge, by accepting and paying Bills of Exchange, or otherwise, as may be ordered and directed by the said Commissioners in that behalf, out of the Funds provided by Parliament for the Use of the said Hospital at *Chelsea*, in addition to the Commutation in lieu of Pension allowed by the said Act, all such contingent Expences as have already been incurred or as may be hereafter incurred on account of such discharged Soldiers as have been or may be permitted to commute their Pensions as aforesaid, whether for Passage Money, Ships, Provisions, Subsistence while detained by competent Authority abroad, Losses by Exchange upon Bills drawn on the said Agent for the commuted Pension or on any other Account, provided such Expences shall have been only incurred by or under any Regulations or Orders made and prescribed in that behalf by His Majesty's Secretary at War; and the Payments so made by the said Agent, and vouched by Bills or Receipts for the same, shall be accordingly allowed and admitted in his Accounts by the Commissioners for auditing the Public Accounts.

In addition to Commutation, Expences of discharged Soldiers to be allowed.

Proviso.

XX. And be it further enacted, That the said Commissioners of the said Hospital at *Chelsea* shall be and they are hereby empowered and required to make Arrangements for the Purpose of enabling Out Pensioners, who may be permitted to reside out of the United Kingdom, but within His Majesty's Dominions, to receive the Amount of their Pensions abroad, either by means of Bills of Exchange, to be drawn by such Out Pensioners upon the Agent of the Hospital at *Chelsea*, or otherwise, as the said Commissioners may deem most expedient.

Commissioners of *Chelsea* Hospital may make Arrangements for paying Pensions abroad.

XXI. And be it further enacted, That it shall and may be lawful for the said Commissioners of the said Hospital at *Chelsea*, upon all Applications to be hereafter made to them by any Person or Persons claiming on account of their Services in His Majesty's Army, to give Pensions to such Person or Persons, in their Discretion, according to their Length of Service, allowing in the Apportionment of such Pensions all such Time as the said Person or Persons shall have served (previously to his entering into His Majesty's Army) either as a Petty Officer, Seaman or Landman in His Majesty's Fleet or as a Noncommissioned Officer or private Marine.

And give Pensions according to Length of Service.

XXII. And be it further enacted, That the Payment of any Pensioners residing in *Ireland*, which at the Time of the passing of this Act shall have been made in *English* Currency, shall be deemed to be good and lawful Payments, notwithstanding the Provisions of any Act or Acts of Parliament respecting the same; and that it shall and may be lawful for the Commissioners of *Chelsea* Hospital, and they are hereby required, to make all future Payments of Pensions to Persons residing in *Ireland* in *English* Currency.

Pensions paid to Persons residing in *Ireland* to be in *English* Currency.

XXIII. And be it further enacted, That every Pensioner resident in *Great Britain* or *Ireland*, who shall be entitled to receive Payment

Notice by Pensioners of

Change of Residence.

Loss to fall on Pensioner.

In Pensioners considered as giving up Claim to Out Pension upon Admission to Chelsea Hospital.

Commissioners may restore In Pensioner resigning Hospital with Leave to his Out Pension.

Knowingly sending or producing false Certificates,

Misdemeanor. Punishment.

Assignment of Pensions void.

Payment of his Pension by Remittance or Order, shall, as often as he shall change his Place of Abode, give Notice thereof to the said Commissioners of the said Hospital at *Chelsea*; and in case, for Want of any such Notice, any Loss shall happen by reason of any Remittance or Order being sent for any Pension to the Place from which such Pensioner shall have removed without giving such Notice, and to which Place his Pension shall have been remitted pursuant to the Notice inserted in the preceding Affidavit, such Loss shall fall upon and be borne and sustained by such Pensioner so making Default in this behalf.

XXIV. And be it further enacted, That every Noncommissioned Officer or Soldier who shall have been already admitted or shall hereafter be admitted as an In Pensioner of either of the said Hospitals at *Chelsea* or *Kilmainham*, shall be considered and taken, at the Time of his Admission thereto, to have for ever given up all Right, Title, Claim and Interest to any Pension or annual Allowance for his Services in the Army, or for Wounds or Disabilities, and to which he might otherwise be or have been entitled; and his Claim, Title and Interest to any Pension or Allowance as aforesaid shall, from and immediately upon his Admission into either of the said Hospitals, be deemed and taken to have ceased, determined, and become utterly null and void to all Intents and Purposes, notwithstanding he may afterwards, from any Cause whatever, cease to be an In Pensioner of either of the said Hospitals: Provided always, that in the Event of any In Pensioner of either of the said Hospitals being allowed by the Commissioners of the said Hospital at *Chelsea* to resign and quit either of the said Hospitals as an In Pensioner, for reasonable Cause shown to them, it shall and may be lawful for the said Commissioners of the said Hospital at *Chelsea* to restore the Noncommissioned Officer or Soldier so ceasing to be an In Pensioner of either of the said Hospitals, either to the same Out Pension to which such Noncommissioned Officer or Soldier was entitled at the Time of his entering into either of the said Hospitals, or to any less Rate of Pension, according to the Discretion of the said Commissioners.

XXV. And be it further enacted, That if any Person shall, by the sending or Production of any false Certificate, or any altered Certificate or Discharge, Instructions or other Document, knowing the same to have been fraudulently altered, or by making any false Representation, obtain or endeavour to obtain, for himself or any other Person, from the Commissioners of the said Hospital at *Chelsea*, any Pension or Increase of Pension, or other Allowance of Money, or any Inrolment or other Privilege or Advantage, such Person or Persons shall upon Conviction of such Offence be deemed guilty of a Misdemeanor, and punished accordingly, and shall for ever forfeit all Claim and Title whatsoever to Pension or Inrolment on account of Service, Wounds, or Disability.

XXVI. And be it further enacted, That all Assignments, Bargains, Sales, Orders, Contracts, Agreements or Securities whatsoever, which shall be given or made by any Person entitled to any Pension, Allowance or Relief from the said Hospital at *Chelsea* as aforesaid, for the Transfer of such Pension, Allowance or Relief, or to give or assign any Interest therein, or for, upon or in respect of any such his Pension, Allowance or Relief, shall

be

be absolutely null and void to all Intents and Purposes, except as is provided by any Act or Acts of Parliament relating to the Relief of the Poor in *England or Scotland*. Exception.

XXVII. And be it further enacted, That from and after the passing of this Act it shall and may be lawful to and for the Secretary of the said Hospital at *Chelsea*, and the Chief and first Four Senior Clerks respectively on the Establishment of the Office of the Secretary of the said Hospital for the Time being, and they are hereby authorized and required, as often as Occasion shall be, to administer to all and every Person entitled or claiming to be entitled to any Out Pension or Allowance of Money, either from the said Hospital at *Chelsea* or *Kilmainham*, or to any Allowance on account of Service in His Majesty's Army, all and every Oath and Oaths required or directed to be taken by any Law or Laws which now is or are or shall be in force at the Time such Oath is required or directed as aforesaid, and also to administer any other Oath or Oaths to any Person or Persons, or to any other Person or Persons, touching any such Matters as shall be necessary for the Purpose of preventing Frauds in the receiving of Pensions, or proving the Identity of such Person or Persons, or for the Purpose of ascertaining or proving his or their Service or Particulars of Service in His Majesty's Army, or of any other Service for which any Out Pension or Allowance shall be claimed or granted, or of ascertaining or proving the Fact of any Disability or other Circumstance in respect of which such Pension shall be claimed or granted. Secretary and Senior Clerks of Chelsea Hospital may administer certain Oaths to Out Pensioners.

XXVIII. And be it further enacted, That every Person or Persons who shall take any false Oath as to the Particulars aforesaid, or in the Cases aforesaid, or any or either of them, before the said Secretary of the said Hospital at *Chelsea*, or before the said Chief Clerk, or either of the said Four first Senior Clerks as aforesaid, shall be deemed guilty of Perjury, and shall suffer such Punishment as by Law may be adjudged to Persons guilty of Perjury. Perjury.

XXIX. And be it further enacted, That every Out Pensioner to be admitted on the Pension List shall, on such his First Admission, receive in advance such Proportion of the Pension as shall be equal to the remaining Number of Days of the current Quarter which shall then remain unexpired, and from and after the End of the said Quarter continue to receive his Pension by Quarterly Payments in advance, upon complying with all the Rules, Orders and Regulations of the said Hospital. Pensions to be paid a Quarter in advance.

XXX. And be it further enacted, That it shall and may be lawful for the Agent for the Payment of Out Pensions, and he is hereby authorized and directed to receive in advance from the Treasurer of the said Hospital at *Chelsea* for the Time being such Monies as shall be necessary to discharge the same, and to pay or remit the said Pension to the Out Pensioners in the Manner prescribed by this Act, but subject to such Regulations with respect to the Mode of Payment thereof as shall be from time to time made by the Commissioners of the said Hospital at *Chelsea*; and the said Agent is hereby empowered and directed to give a Receipt or Acquittance for the said Monies to the said Treasurer, which Receipt or Acquittance shall be a full and final Discharge to the said Treasurer for such Sum or Sums so paid by him to the said Treasurer of Chelsea Hospital to pay to Agent of Out Pensions the necessary Monies in advance.

Duty of Treasurer and Auditors hereon.

Agent; and the Auditor or Auditors to whom the Accounts of the said Treasurer are submitted is and are hereby authorized and required to pass and allow all such Acquittances in the Accounts of the said Treasurer of the said Hospital at *Chelsea*; and the Lord High Treasurer or Commissioners of the Treasury for the Time being, or any Three or more of them, are hereby authorized and required to issue in advance to the Treasurer of the said Hospital at *Chelsea* such Sum or Sums of Money as from time to time shall be necessary for the Payment of the said Out Pension, upon such Warrant, Establishment or Orders as shall be signed by the Secretary to the said Commissioners of the said Hospital at *Chelsea*.

Statements of Number of Out Pensioners to be made up by Commissioners of *Chelsea* with Concurrence of Treasury.

XXXI. And be it further enacted, That the said Commissioners of the said Hospital at *Chelsea* are hereby authorized and directed to make up, or cause to be made up, at the usual Times at which the same have been heretofore made up, or at such other Times as the said Commissioners, by and with the Concurrence of the Lord High Treasurer or Commissioners of the Treasury for the Time being shall from time to time order or direct, an exact Statement or List of the Number of Out Pensioners borne on the Out Pension List, or who have either personally appeared or have been certified by proper Affidavits to be living during the Whole or Part of the Quarter then immediately preceding.

The said Commissioners to direct Warrants for Payment of Out Pensions.

XXXII. And be it further enacted, That the said Commissioners of the said Hospital at *Chelsea* shall, on such Statements or Lists so exhibited to them, make out or cause to be made out, a Warrant to the Treasurer of the said Hospital at *Chelsea* for the Time being, and shall sign the same, authorizing and directing the said Treasurer to issue and pay in advance, into the Hands of the Agent for the Payment of the Out Pensions, such Sum or Sums as may and shall be requisite and necessary for the Payment of the Out Pensions as aforesaid.

Pensions to be paid without any other Deduction than under 28 G.2. c.1.

XXXIII. And be it further enacted, That the Pensions, Allowance and Relief granted to the said Out Pensioners shall be paid to the Persons entitled thereto without any other Deduction for Stoppage or Charge than is directed by the said Act of Parliament of the Twenty eighth Year of the Reign of King *George* the Second, and which said Stoppage or Deduction shall apply to all Pensions, whether the same shall be paid in *England* or *Ireland*; and if the Agent appointed or to be appointed for the Payment of the said Pensions, Allowances and Reliefs, or any other Agent or Clerk employed in paying the same, shall exact or take any Fee or Reward whatsoever, for or on Account of paying the said Pension, or on any other Account whatsoever relative to the Out Pension, such Person or Persons so offending shall lose or forfeit his or their said Office or Employment, and shall also forfeit the Sum of One hundred Pounds to any Person or Persons who shall sue for the same by Action of Debt, Bill, Plaint or Information, in any of His Majesty's Courts of Record, within Twelve Calendar Months after the Offence committed, in which said Suit no *Essoign*, Protection or Wager of Law shall be allowed, nor more than One Impar lance, and be deemed incapable of serving His Majesty, His Heirs and Successors, in any Office or Employment, Civil or Military, whatsoever.

Agents or Clerks making other Deductions.

Loss of Office, and Penalty.

Incapacity.

Clothes, Linen and Stores of

XXXIV. And be it further enacted, That the said Commissioners

sioners of the said Hospital at Chelsea shall and may, and they are hereby authorized to cause the Clothes, Linen, Stores and other Articles belonging to the said Hospital, capable of being marked, to be from time to time marked, stamped or branded with the words "*Chelsea Hospital*," and from time to time, in case the said Commissioners should sell or dispose of any of the said Clothes, Linen, Stores or other Articles, or should allow the In Pensioners, or any of them, to sell or dispose of any of the said Clothes, Linen, Stores or other Articles, then the said Commissioners shall and may, and they are hereby authorized to obliterate or deface the said Marks, Stamps and Brands respectively, by marking, stamping or branding upon the said Clothes, Linen, Stores or other Articles so sold or disposed of by the said Commissioners, or so allowed by them to be sold or disposed of by the said In Pensioners, or any of them, the said Words "*Chelsea Hospital*" reversed over and upon the said Words before marked, stamped or branded on the said Clothes, Linen, Stores or other Articles respectively; and if any Pensioner or other Person or Persons shall unlawfully pawn, sell, embezzle, secrete or dispose of, or if any Pawnbroker or other Person or Persons shall unlawfully take in pawn, buy, exchange or receive any Clothes, Linen, Stores or other Goods or Articles marked, stamped or branded as aforesaid, and not previously crossed out, obliterated or defaced as aforesaid, upon any Account or Pretence whatsoever, such Mark, Stamp or Brand not obliterated or defaced as aforesaid, to be considered and taken as sufficient Evidence, without further Proof, that the Clothes, Linen, Stores, Goods and Articles so marked, stamped or branded, and not obliterated or defaced as aforesaid, are the Property of the said Commissioners, or if any Pensioner or other Person or Persons shall cause such Mark or Stamp, Marks or Stamps, to be taken out, obliterated or defaced from any of the Clothes, Linen, Stores, Goods or Articles belonging to the said Hospital at Chelsea, or if any Pensioner or other Person or Persons shall knowingly and unlawfully pawn, sell or dispose of, or if any Pawnbroker or other Person or Persons shall knowingly and unlawfully take in pawn, buy, exchange or receive any Clothes, Linen or other Goods or Articles belonging to the said Hospital, or shall secrete, embezzle or not duly account for any Clothes, Linen or other Goods or Articles, whether marked or unmarked, belonging to the said Hospital, or the Commissioners thereof, or use therein, such Articles having been intrusted or delivered to him or them for any Purpose whatsoever, the Person or Persons so offending shall forfeit for every such Offence any Sum not exceeding Twenty Pounds, upon Conviction thereof upon the Oath of One or more credible Witness or Witnesses, before any One or more of His Majesty's Justices of the Peace of the County wherein the said Offence or Offences shall be committed, which Penalty shall be levied by Warrant under the Hand and Seal or Hands and Seals of the said Justice or Justices of the Peace, by Distress and Sale of the Goods and Chattels of the said Offender or Offenders, One Moiety of which said Penalty or Penalties shall be paid to the Informers or Informers, and the other Moiety shall go and be paid to the Use of the said Hospital; and in case any Offender who shall be

the said Hospital to be marked.

In what Cases defaced.

Having or illegally disposing of, and Pawnbrokers taking in pawn Clothes, &c.

or taking out or defacing Marks; or pawning;

or secreting or not accounting for Articles delivered to them. Penalty.

Offender convicted, and not

paying Penalty,
how to be dealt
with.

convicted as aforesaid of having pawned, sold or unlawfully disposed of, or bought, exchanged, received or taken in pawn any such Clothes, Linen or other Goods or Articles as aforesaid, or of having caused such Mark or Stamp, Marks or Stamps as aforesaid, to be taken out, obliterated or defaced, shall not have (or shall at the Time of Conviction declare that he or she has not) sufficient Goods or Chattels whereon Distress may be made to the Value of the said Penalty or Penalties recovered against him or her, for such Offence or Offences, or in case it shall be considered by the Justice or Justices before whom such Offender shall be convicted that the Offender so convicted is likely to abscond before the said Penalty or Penalties can be levied by Distress, then and in every such Case such Justice or Justices of the Peace shall and may, by Warrant under his or their Hand and Seal or Hands and Seals, commit the Offender to the Common Gaol of the County where such Offence or Offences shall be committed, there to remain without Bail or Mainprize for the Space of Three Calendar Months, or until the said Penalty or Penalties shall be paid.

Actions, &c. on
behalf of Chel-
sea Hospital
to be brought
in the Name of
the Treasurer.

XXXV. And be it further enacted, That all Actions or Suits to be brought, commenced or prosecuted by or on behalf of the Commissioners of the said Hospital at *Chelsea*, may be brought, commenced and prosecuted in the Name of the Treasurer, or Deputy Treasurer or Secretary of the said Hospital for the Time being; and upon the Trial or Hearing of any such Action or Suit it shall not be necessary to produce any Commission, Charter or Authority appointing, confirming or constituting the Commissioners of the said Hospital at *Chelsea*, nor any Warrant, Instrument or Authority appointing the Treasurer or Deputy Treasurer, or Secretary, to their respective Offices, nor any Power, Grant, Letters Patent or Authority under or by virtue of which the Commissioners for the said Hospital at *Chelsea*, or Treasurer or Deputy Treasurer, or Secretary, shall respectively act in the Execution of their said Offices, but the general acting of the said Commissioners, Treasurer or Deputy Treasurer, or Secretary, in their said respective Offices of Commissioners, Treasurer or Deputy Treasurer, or Secretary, shall be deemed sufficient Proof of the due Appointment of them respectively to their said respective Offices; and in all Indictments, Informations, Prosecutions and other Proceedings against any Person or Persons for feloniously stealing or taking away, or unlawfully pawning, selling or disposing of, or buying, exchanging or receiving, or embezzling, secreting or not accounting for any of the Clothes, Linen or other Goods or Articles belonging to the said Hospital at *Chelsea*, or the Commissioners thereof, it shall be sufficient to charge the same as being the Property of the Lords and others, Commissioners of the Royal Hospital for Soldiers at *Chelsea* in the County of *Middlesex*; and in all Indictments, Informations, Prosecutions or other Proceedings against any Person or Persons for personating or falsely assuming the Name or Character of, or causing or procuring any other to personate or falsely assume the Name or Character of any Person entitled or supposed to be entitled to Wages, Pay, Prize Money or Pension or other Allowance of Money for Service done or supposed to be done in His Majesty's Army,

Property how
to be laid.

How Offences
to be charged
in Indictments,
&c.

Army, or in any other Service entitling or supposed to entitle any Person to Pay, Prize Money, Pension or Allowance, or the Executor, Administrator, Wife, Relation or Creditor of any such Person, in order to receive, obtain or claim Wages, Pay or other Allowance of Money, Pension or Prize Money, due or supposed to be due; or for forging, counterfeiting or altering, or causing or procuring to be forged, counterfeited or altered, or aiding or assisting in forging, counterfeiting or altering, or uttering or publishing as true, or causing or procuring to be uttered or published as true, or aiding or assisting in uttering or publishing as true, knowing the same to be false and counterfeited, any Letter of Attorney, Bill, Ticket, Order, Certificate, Assignment, last Will or Power of Attorney, or other Power or Authority whatsoever, in order to receive, obtain or claim Wages, Pay, Allowances of Money, Pension Money or Prize Money, due or supposed to be due to any such Officer or Soldier or other Person; or for knowingly or willingly taking a false Oath, or causing or procuring any other to take a false Oath, to obtain Probate of any Will, or to obtain Letters of Administration in order to receive, obtain or claim Wages, Pay, Prize Money or Pension Money due or supposed to be due to any such Officer or Soldier, or other Person, or for any Fraud, Misbehaviour or other Offence to which such Form is applicable, it shall be sufficient to charge the same as being done with Intent to defraud the Lords and others, Commissioners of the Royal Hospital for Soldiers at *Chelsea* in the County of *Middlesex*.

XXXVI. And be it further enacted, That all Letters or Packets addressed to the Secretary of the said Hospital at *Chelsea* for the Time being, or sent to or delivered at his Office, upon any Business or Affairs of the said Hospital at *Chelsea*, shall, from and after the passing of this Act, be free from the Duty of Postage; and also that all Letters or Packets sent by the said Secretary of the said Hospital at *Chelsea*, upon such Business or Affairs as aforesaid, shall be sent free from the said Duty of Postage; and all Letters and Packets relating to the Matters aforesaid, that shall be forwarded by the said Secretary, shall be under Cover, with the Words " Pursuant to Act of Parliament, *George the Fourth*," printed upon the same; and the said Secretary of the said Hospital at *Chelsea* shall write his Name under the same, and he is hereby strictly prohibited from inclosing or sending under such Covers any Writing, Paper or Parcel, excepting such as relate to the Business or Affairs of the said Hospital at *Chelsea*.

XXXVII. And be it further enacted, That if such Secretary of the said Hospital at *Chelsea*, or any other Person, shall send or convey, under any of the Covers aforesaid, any Writing, Paper or Parcel, other than those relating to the Business or Affairs of the said Hospital at *Chelsea*, the Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds, to be recovered, with full Costs of Suit, by any Person, by Action of Debt, Bill, Plaint or Information, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Privilege, Protection, Wager of Law or more than One Imparlance, shall be allowed; One Moiety of which Penalty shall go to the Person who

Letters and Packets on Business of Hospital to be free of Postage.

Under Cover.

Secretary or other Persons sending under free Covers any Writing, &c. not relating to Hospital. Penalty.

shall sue for the same, and the other Moiety thereof to and for the Use of His said Majesty.

The Person-
ation of Pen-
sioners.

XXXVIII. And be it further enacted, That if any Person shall willingly and knowingly personate or falsely assume the Name or Character, or procure any other to personate or falsely assume the Name or Character of any Officer, Noncommissioned Officer, Soldier or other Person, entitled or supposed to be entitled to any Pension, Wages, Pay, Grant or other Allowance of Money, Prize Money or Relief due or payable, or supposed to be due or payable, for or on account of any Service done or supposed to be done by any such Officer, Noncommissioned Officer, Soldier or other Person as aforesaid, in His Majesty's Army, or other Military Service, or shall personate or falsely assume the Name or Character of the Executor or Administrator, Wife, Relation or Creditor of any such Officer, Noncommissioned Officer or Soldier or other Person as aforesaid, in order fraudulently to receive any Pension, Wages, Pay, Grant or other Allowance of Money, Prize Money or Relief due or payable or supposed to be due or payable for or on account of any Services done or supposed to be done by any such Officer, Noncommissioned Officer, Soldier or other Person as aforesaid; or if any Person shall forge or counterfeit, or alter or cause or procure to be forged or counterfeited or altered, or knowingly and willingly act, aid or assist in forging, counterfeiting or altering the Name or Handwriting of any Officer, Noncommissioned Officer, Soldier or other Person entitled, or supposed to be entitled, to any Pension, Wages, Pay, Grant, Allowance of Money, Prize Money or Relief, due or payable or supposed to be due or payable, for or on account of any such Service or supposed Service as aforesaid, or the Name or Handwriting of any Officer, Under Officer, Clerk or Servant of the said Commissioners of the said Hospital at *Chelsea*, or of any Officer or Person in any Way concerned in the paying or ordering, directing or causing the Payment of the said Pensions, Wages, Pay, Money, Allowance of Money, Prize Money or Relief or any of them; or shall forge, counterfeit or alter, or cause or procure to be forged, counterfeited or altered, or knowingly and willingly act, aid or assist in forging, counterfeiting or altering, any Letter of Attorney, Bill, Ticket, Order, Certificate, Voucher, Receipt, Will or any other Power, Instrument, Warrant, Document or Authority whatsoever, relating to or anywise concerning the Payment or obtaining or claiming any Pension, Wages, Pay, Grant, Allowance of Money, Prize Money or Relief for and in order to the receiving, obtaining or claiming any such Pension, Wages, Pay, Grant, Allowance of Money, Prize Money or Relief; or shall utter or publish as true, or knowingly and willingly act, aid or assist in uttering or publishing as true, knowing the same to be forged, counterfeited or altered, any such Letter of Attorney, Bill, Ticket, Order, Certificate, Voucher, Receipt, Will or any other Power, Instrument, Warrant, Document or Authority whatsoever, with Intent to obtain the Payment of any such Pension, Wages, Pay, Money or Allowance of Money, Prize Money or Relief, from the said Commissioners of the said Hospital at *Chelsea*, or from any Officer, Under Officer, Clerk or Servant of the said Commissioners, or from the Person authorized or supposed to be author-
ized,

Forging Docu-
ments.

Knowingly ut-
tering such
Forgeries.

ized, to pay the same, or with Intent to defraud any Person whatsoever, or any Corporation whatsoever; every such Person so offending, being thereof lawfully convicted, shall be and is hereby declared and adjudged to be guilty of Felony, and shall and may be transported for Life, or for such Term of Years as the Court shall adjudge.

Punishment.

XXXIX. And be it further enacted, That all Orders, Certificates, Vouchers, Receipts and Affidavits, for or relating to any Army Pensions, Allowances or Relief, or Monies issued on account thereof, shall be free from all Duties of Stamps, and be good, valid and effectual, although the same shall not have been stamped; any Thing in any Act contained to the contrary notwithstanding.

Orders, &c. relating to Pensions free from Stamp Duty.

XL. And be it further enacted, That it shall be lawful for the said Commissioners of the said Hospital at *Chelsea* to authorize the Agent for Pensions or other proper Officer to pay to any Person or Persons who shall prove him, her or themselves, to the Satisfaction of such Commissioners or of the said proper Officer, to be the next of Kin or legal Representative, or otherwise legally entitled to any Pension Money due to any deceased Pensioner not exceeding Twenty Pounds, although such Person shall not have taken out Letters of Administration, or have procured Probate of any Will of such deceased Pensioner or Officer.

Sums not exceeding 20*l*. may be paid without Letters of Administration.

XLI. And be it enacted, That where by this or any other Act or Acts of Parliament any Matters or Things are directed to be done by the Commissioners of the said Hospital at *Chelsea*, or by any specific Number of the said Commissioners, it shall be lawful for all such Matters and Things to be done either by the Commissioners of the said Hospital at *Chelsea*, or by any Three of the said Commissioners.

Acts by Commissioners may be done by any Three of them.

XLII. And be it further enacted, That it shall and may be lawful to and for His Majesty, His Heirs or Successors, at any time or times hereafter, by Letters Patent, or Indenture or Indentures under the Great Seal of *Great Britain*, to grant and confirm the Fee Simple and Inheritance of and in all and singular the Capital Messuages or Tenements, Buildings, Lands, Gardens, Yards, Areas, Pieces of Water, Hereditaments and Premises whatsoever, now used or occupied as and for the said Hospital at *Chelsea*, for the Purposes of the Institution, or belonging or appertaining or adjoining or near thereto, being the Property of His Majesty, and which said Premises are more particularly described in the Schedule to this Act annexed, unto and to the Use of such Persons as His Majesty shall by His said Letters Patent or by such Indenture or Indentures appoint, or to such Corporation, or to such Commissioners of the said Hospital, as His Majesty may think fit, their Heirs, Successors or Assigns, in Trust and for the Benefit of the said Hospital for ever, and for the Purposes of the said Institution.

His Majesty empowered to grant the Premises of the said Hospital to the Commissioners.

XLIII. And be it further enacted, That such Grant and Confirmation of the said Premises, or any Part thereof, as shall be made by His said Majesty, His Heirs or Successors, by any such Letters Patent, Indenture or Indentures, as aforesaid, in pursuance of this Act, shall be and is and are hereby declared and enacted to be good, valid and effectual in the Law, according to the Tenure and Purport thereof, in the said Letters Patent, Indenture or

Validity of Grant.

1 Ann. c.7.

1 G.3. c.1.

34 G.3. c.75.

Indentures, to be expressed, notwithstanding any Restriction, Matter or Thing contained in an Act of Parliament made in the First Year of the Reign of Her late Majesty Queen *Anne*, intituled *An Act for the better Support of Her Majesty's Household, and of the Honour and Dignity of the Crown*; or in an Act made in the First Year of His late Majesty King *George the Third*, intituled *An Act for the Support of His Majesty's Household, and of the Honour and Dignity of the Crown of Great Britain*; or in an Act made in the Thirty fourth Year of the Reign of His said late Majesty, intituled *An Act for the better Management of the Land Revenue of the Crown, and for the Sale of the Fee Farm and other unimproveable Rents*; or any other Law or Statute to the contrary in anywise notwithstanding.

Commissioners
empowered to
purchase
Lands, &c. for
the Purposes of
the Hospital.

XLIV. And be it further enacted, That it shall and may be lawful for the Lords and others, Commissioners of the said Hospital at *Chelsea* for the Time being, for the Purposes or for the Advantage of the said Royal Hospital, or for the Improvement of the Buildings or Neighbourhood of the said Hospital, or for any Purposes connected with the said Royal Hospital, and they are hereby empowered, to treat, contract and agree for the absolute Purchase, and to complete Purchases already agreed to be made, of any Messuages, Land, Tenements or Hereditaments, and the Freehold and Inheritance thereof, or any Estate or Interest therein, with any Body or Bodies Politic, Corporate or Collegiate, or any Tenant or Tenants for Life, or in Fee Tail General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, or with any Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots or other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trust respectively, whether Infants or Issue unborn, Lunatics, Idiots, Femes Covert or other Person or Persons whomsoever, who shall be willing to sell the same; and upon Payment of the Purchase Money for the same respectively, to the Parties or Persons respectively entitled thereto, or upon Payment thereof into the Bank of *England*, in Manner by this Act directed (as the Case may be), the Messuages, Lands, Tenements and Hereditaments so to be purchased as aforesaid shall vest absolutely in the said Lords and others, Commissioners and Governors for the Time being, or in such Person or Persons as they shall in any such Contract nominate to be their Trustee or Trustees for that Purpose, to and for the Purposes of the said Institution, or for the Health and Comfort of the Pensioners maintained therein, and from thenceforth all other Parties and Persons whomsoever shall be divested of all Right and Title, Claim or Reservation, of, in or to such Lands, Tenements and Hereditaments, and any Term, Right and Interest therein so purchased, without incurring or being subject or liable to any Penalties or Forfeitures of the Statutes of Mortmain, or any other Law or Statute whatsoever; and in case of a Re-sale of the said Lands, Tenements or Hereditaments, or any of them, under the Provision hereinafter in that behalf contained, to purchase and hold other Lands, Tenements or Hereditaments in like Manner.

To vest absolutely in the said Commissioners for Purposes herein mentioned.

Bodies Politic,
Trustees, &c.

XLV. And be it further enacted, That it shall and may be law-
ful

ful to and for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Fee Tail General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots and other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trust respectively, whether Infants or Issue unborn, Lunatics, Idiots or Femes Covert, or other Person or Persons under any Disability of acting for himself, herself and themselves, and also to and for all Femes Covert who are or shall be seised, possessed of or interested in their own Right, and to and for all and every Person or Persons whomsoever who are or shall be seised, possessed of or interested in any Messuages, Lands, Tenements or Hereditaments, or any Part thereof, which shall be thought fit or expedient to be purchased by the said Lords and others, Commissioners for the Time being of the said Hospital, for the Use or Benefit of the said Institution, or for the Health or Comfort of the Pensioners maintained therein, to treat, contract and agree with the said Lords and others, Commissioners of the said Hospital, or any Person or Persons appointed by them and on their behalf, for the absolute Sale of the same Hereditaments to them, and also to convey by Indenture of Bargain and Sale the Hereditaments to be contracted or agreed to be purchased, and the Inheritance thereof in Fee Simple, unto and to the Use of the said Lords and others, Commissioners of the said Hospital at *Chelsea* for the Time being, or to a Trustee or Trustees appointed by them on their behalf; and which said Bargain and Sale shall, without any Fine or Fines, Recovery or Recoveries or other Conveyances or Assurances in the Law whatsoever, and without Inrolment, be good, valid and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons and Bodies conveying, but also to convey all Right, Estate, Interest, Use, Property, Possibility, Claim and Demand whatsoever of their said several Cestuique Trust, and of all Persons whomsoever claiming or to claim by, from, or under him, her or them, or under any other Persons whomsoever, or claiming or to claim in Remainder or Reversion expectant on any particular Estate, or by way of Executory Devise or Springing Use, or otherwise howsoever, and the same shall be deemed and considered to bar the Dower and Dowers of any such Person or Persons, and all Estates Tail and other Estates, Possessions, Reversion, Remainder or Expectancy, and the Issue and Issues of any Person or Persons claiming under them, as effectually as Fines or Common Recoveries, or any other Conveyance or Assurance would do, if levied or suffered or executed by the proper Parties in due Form of Law; any Law, Statute or Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all Bodies Corporate or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or in Fee Tail General and Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees and all and every other Person

may sell and convey Lands, &c. to the Commissioners.

Bargain and Sale valid without Fine, &c.

Dower, &c. barred.

Indemnity to Bodies Politic, Trustees, &c.

Person and Persons, is and are and shall be indemnified for what he, she or they shall do by virtue and in pursuance of this Act.

Application of
Purchase
Money when
amounting to
or exceeding
200*l*.

XLVI. And be it further enacted, That in all Cases in which there shall be any Money to be paid for any Messuages, Lands, Tenements or Hereditaments contracted for or purchased, which shall belong to any Body Corporate, Collegiate or Ecclesiastical, Tenant for Life or in Tail, or for Years, Trustee, Feme Covert, Infant, Lunatic or Person or Persons under any Disability or Incapacity as aforesaid, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privy of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Lords and others, Commissioners of the Royal Hospital for Soldiers at *Chelsea* in the County of *Middlesex*; to the Intent that such Money may be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements and Hereditaments, in the Purchase of other Lands, Tenements and Hereditaments, which shall be conveyed and settled to, for and upon such and the like Uses, Trusts, Intents and Purposes, and in the same Manner as the Messuages, Lands, Tenements and Hereditaments which have been or shall be purchased for the Purposes aforesaid stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time, and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application made thereto as aforesaid, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the Consolidated or Reduced Bank Annuities shall from time to time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements and Hereditaments so hereby directed to be purchased, in case such Purchase and Settlement thereof were then actually made.

Application
when less than
200*l*. and ex-
ceeding 20*l*.

XLVII. Provided always, and it is further enacted, That if any Money so to be paid for any Lands, Tenements and Hereditaments to be purchased for the Purposes aforesaid, and belonging to any Body Corporate, Collegiate or Ecclesiastical, Tenant for Life or in Tail or for Years, Trustees, Feme Covert, Infant, Lunatic or any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments so purchased, taken or used, or of his, her or their Guardian or Guardians, Committee or Committees, in Cases of Infancy, Idiocy or Lunacy, to be signified in Writing under their respective Hands, to be paid into the Bank in the Name and with the Privy

Privy of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner hereinbefore directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be named by the Person or Persons making such Option, and approved by the said Lords Commissioners of the said Hospital, such Nomination and Approbation to be signified by Writing under the Hands of the nominating and appointing Parties, in order that such Principal Money, and the Dividends to arise therefrom, or the Interest thereof, may be applied in the Manner hereinbefore directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said High Court of Chancery.

XLVIII. Provided always, and be it further enacted, That when such Money so contracted and agreed to be paid as last before mentioned shall not exceed the Sum of Twenty Pounds, then and in all such Cases the same shall belong absolutely and be paid to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements or Hereditaments so purchased or agreed for, or hereafter to be purchased, for the Purposes aforesaid, or in case of Infancy, Idiocy or Lunacy, then to his, her or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Application when not exceeding 20*l*.

XLIX. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privy of the said Accountant General of the High Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements or Hereditaments, or of any Estate, Right or Interest in any Lands, Tenements or Hereditaments so purchased or to be purchased as aforesaid, or to any Bank Annuities to be purchased with any such Money, as to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements or Hereditaments, or to some Estate or Interest therein.

In case of disputed Titles, Persons in Possession deemed entitled.

Provido as to wrongful Possession.

L. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements or Hereditaments purchased or to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Chancery, and to be applied in the Purchase

Court of Chancery may order Expences of Purchases to be paid by the Commissioners.

Purchase of other Lands, Tenements or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases so agreed for or purchased, or hereafter from time to time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Lords and others, Commissioners of the said Hospital at *Chelsea*, who shall from time to time pay such Sums of Money for such Purposes as the said Court shall direct: Provided always, that no such Order shall be made if it can be shewn by the said Lords and others, Commissioners of the said Hospital at *Chelsea*, or it shall appear from the Face of the Agreement for any Purchase aforesaid, that the Consideration Money for the same was intended to cover and include all contingent and other Expences relating to the said Purchase.

Proviso, &c.

On Payment of
Purchase
Money, the
Lands, &c.
vested in the
Commissioners.

LI. And be it further enacted, That upon Payment of the Money contracted or to be contracted or agreed to be paid for the Purchase of any Lands, Tenements or Hereditaments, or any Estate, Right or Interest as aforesaid, to the Party or Parties, or Person or Persons respectively entitled to receive such Monies, or their Agents, or upon Payment thereof into the Bank of *England*, for the Purpose of being disposed of in Manner hereinbefore directed, as the Case may be, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim and Demand, in Law or in Equity, of the Party or Parties and Person and Persons respectively to whom or for whose Use or Benefit the same shall be paid in, to or out of such Lands, Tenements or Hereditaments, shall vest in the said Lords and others, Commissioners of the said Hospital at *Chelsea* for the Time being, or in such Person or Persons as they shall from time to time nominate to be their Trustee or Trustees for the Time being for the said Purpose.

LII. And Whereas Colonel *John Drouly*, late Governor of *Cowes Castle* in the *Isle of Wight*, deceased, did, in and by his last Will and Testament, bearing Date the Eleventh Day of *July* One thousand eight hundred and nine, after certain Bequests to his Brother and Sister, and to the several charitable Institutions all therein named, give and bequeath the residue of his Estate to *Alexander Fraser* of *Lincoln's Inn* Esquire, *George Ridge* senior, Banker, of *Charing Cross*, Esquire, since deceased, *George Ridge* junior, Esquire, and *John Ridge* of the same Place, Esquire, who pre-deceased the Testator, upon Trust (amongst other Things), to pay to the respective Treasurers of *Chelsea* and *Greenwich* Hospitals One thousand Pounds each, and upon this further Trust to pay and divide all the Residue not therein before disposed of to the Royal Military Hospital at *Chelsea*, in the County of *Middlesex*, and the Royal Naval Hospital at *Greenwich*, equally between the said Hospitals, Share and Share alike, to be paid to the respective Treasurers of the said Hospitals, to be applied for the Use and Benefit of the Pensioners of the said respective Hospitals, in such Manner as the Governors and Directors thereof respectively for the Time being should from time to time order and direct: And Whereas the said *Alexander Fraser*, and the said *George Ridge* senior, and *George Ridge* junior, his Co-trustees and Co-surviving Executors, named in the

' said

' said recited Will, did, on the Twenty seventh Day of *July*, which
 ' was in the Year One thousand eight hundred and twenty one,
 ' transfer the Sum of Twenty thousand Pounds Three *per Centum*
 ' Consolidated Bank Annuities, in Part of the Residuary Share so
 ' bequeathed as aforesaid to the said Royal Military Hospital at
 ' *Chelsea*, of and in the Residuary Estate of the said Testator *John*
 ' *Drouly* deceased, into the Names and Account of Sir *Samuel*
 ' *Hulse*, Sir *Harry Calvert*, *Richard Neave*, and *William Henry*
 ' *Spicer*, Esquires, in the Books of the Governor and Company of
 ' the Bank of *England*, the said Sir *Samuel Hulse* being the Go-
 ' vernor of the said Royal Military Hospital, and the said Sir
 ' *Harry Calvert* the Lieutenant Governor thereof, the said *Richard*
 ' *Neave* the Secretary thereof, and the said *William Henry Spicer*
 ' the Deputy Treasurer of the said Hospital: And Whereas the
 ' said Twenty thousand Pounds Three *per Centum* Consolidated
 ' Bank Annuities were so transferred into the Names of the said
 ' Sir *Samuel Hulse*, Sir *Harry Calvert*, *Richard Neave*, and *William*
 ' *Henry Spicer*, at the Request in Writing, under the respective
 ' Hands of *John King* Esquire, and of the said Sir *Samuel Hulse*
 ' and Sir *Harry Calvert*, Three Commissioners of the said Royal
 ' Military Hospital at *Chelsea*, they and the other Commissioners
 ' being desirous that the said Residuary Bequest of the said *John*
 ' *Drouly*, in favour of the said Royal Hospital at *Chelsea*, should
 ' be strictly applied, in Conformity with the Directions of his said
 ' Will, for the Use and Benefit of the Pensioners of the said Hos-
 ' pital, and for that Purpose that the same Bequest, and the Funds
 ' therefrom arising, should be kept separate from the general
 ' Funds of the said Hospital, standing in the Name only of the
 ' Treasurer for the Time being of the same Royal Hospital; and
 ' it is desirable that the said *Alexander Fraser*, and his said Co-
 ' trustees and Co-executors, should be indemnified for the said
 ' Transfer so made of the said Twenty thousand Pounds Three *per*
 ' *Centum* Consolidated Bank Annuities as aforesaid, instead of
 ' selling the Stock and paying the Money arising from the Pro-
 ' duce of such Sale to the Treasurer, pursuant to the Testator's
 ' Directions in that respect: Be it therefore further enacted,
 That the said *Alexander Fraser*, *George Ridge* senior, and *George*
Ridge junior, the said surviving Trustees and Executors named in
 the said recited Will of the said *John Drouly* deceased, and every
 of them, their and every of their Heirs, Executors, Administrators,
 Goods and Chattels, Lands and Tenements, shall stand, be and
 remain saved harmless and indemnified of, from and against all
 Loss, Costs, Charges, Damages and Expences which they or any
 of them can or may or otherwise might or could bear, pay, sus-
 tain, expend, be at or be put unto, or be liable for or by reason
 of their having so as aforesaid transferred the said Sum of Twenty
 thousand Pounds Three *per Centum* Consolidated Bank Annuities
 into the Names of the said Sir *Samuel Hulse*, Sir *Harry Calvert*,
Richard Neave, and *William Henry Spicer*, in the Way and Manner
 hereinbefore stated, and also for or by reason or on account of any
 Loss, Misapplication or Nonapplication of the said Twenty thou-
 sand Pounds Three *per Centum* Consolidated Annuities, or any
 Part thereof, or the Interest, Dividends or Annual Produce thereof,
 as fully and effectually as if the said *Alexander Fraser* and his said

Indemnity to
 the Trustees
 and Executors
 of the late
 Colonel
Drouly.

Co-trustees and Co-executors had sold the Stock and paid the Produce of the same in strict Conformity with the Directions of the said Will of the said Testator.

SCHEDULE to which this Act refers.

	A.	R.	P.	
Burton's Court, including Walks, Lodges, Guard House	13	2	1	167
West Court, including Buildings on North, South and East Sides	2	1	32	230
Figure Court, including Chapel and Hall	1	2	33	103
East Court, including Buildings on North, South and West Sides	2	1	32	230
Water Gardens	4	—	21	149
Clerk of the Works and Infirmary, with Airing Ground	1	1	26	190
Stables	—	1	6	258
Guard House, Artificer's Yard, &c.	—	—	39	198
Surgeon's House and Garden, Wash House and Drying Ground	—	3	9	207
Whitster, Turncock Court and Master Barber	—	—	39	176
Sir Willoughby Gordon's House, &c. (on Lease)	3	2	5	176
Burial Ground	1	1	15	53
Laboratory	—	—	33	237
Agent's Office	—	—	32	120
Secretary's Office and Garden	—	1	15	198
Governor's Garden	1	2	8	237
Passage to Ditto	—	—	6	186
Physician's House, &c.	—	—	23	138
Coach Road to East Court	—	2	—	135
Ditto to West Court	—	2	39	92
Infirmary Passage	—	—	5	198
Kitchen Garden	3	3	37	76
Canals	2	—	34	57
Governor's Meadow, and private Walk and Garden	3	3	19	139
Terrace	—	—	16	10
Walk between Kitchen Garden and Canal	—	1	29	219
Passage to Governor's Meadow	—	—	10	163
Creek, Coal Yard and Gravel Walk	—	2	25	202
Acres	47	1	5	194

The above mentioned Premises comprise, or are intended to comprise, all the Buildings and Land used for and with the Royal Hospital for Soldiers at Chelsea.

C A P. XVII.

An Act for remedying Inconveniences in the Administration of Justice, arising from the present Vacancy of the See of Durham, and for preventing the like in future.

[11th April 1826.]

WHEREAS the Office of Sheriff in the County Palatine of Durham is held by Grant of the Bishop of Durham for the Time being, during the Pleasure of the same Bishop, and the See of

‘ of *Durham* is now vacant by the Decease of the late Bishop thereof; and by reason of his Decease the said Office of Sheriff hath also become vacant, and there was no Officer legally authorized to return Jurors or to execute Writs at the General Quarter Session of the Peace for the said County Palatine in the Week after the Clause of *Easter*; and it is necessary to provide a Remedy for the Inconveniences which may ensue therefrom, and in other respects from the Vacancy of the said Office of Sheriff; Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the last Sheriff of the said County Palatine, his Deputy or Deputies, and all other Officers and Ministers of Justice within the same, whose Offices determined on the Decease of the late Bishop of the said See, shall be and they are hereby continued in their respective Offices from the Decease of the said late Bishop for the Term of Six Calendar Months thence next ensuing, in as full and ample Manner to all Intents and Purposes as if the said See had not become vacant, unless the succeeding Bishop of the said See shall sooner determine the same or any of them; and that the said Sheriff, Officers and Minister respectively, shall have the like Power and Authority of executing and returning all Writs and Precepts to him or them directed or to be directed, and of doing all other Acts to their respective Offices appertaining, as fully and effectually as if the said See had not become vacant; and that all Trials and other Proceedings had and taken, or to be had and taken, in the Court of Quarter Session holden for the said County Palatine in the Week after the Clause of *Easter*, or at any Adjournment thereof, and all Judgments and Orders there pronounced and made, and all Sentences and Punishments there passed and awarded, shall be good, valid and effectual to all Intents and Purposes whatsoever, any Law or Usage to the contrary notwithstanding: Provided always, that nothing herein contained shall be construed to legalise or render valid any Act which would not have been legal or valid if the said See had not become vacant.

The last Sheriff, &c. of *Durham* to continue in Office for Six Months from Decease of the late Bishop, unless succeeding Bishop shall sooner determine same.

Proceedings at the last *Easter Quarter Session* valid.

II. And, for preventing the like Inconveniences in future, be it further enacted, That no Grant or Appointment of or to any Office or Employment concerning the Administration of Justice in the said County Palatine, hereafter to be made by any Bishop of the said See, shall cease, determine or be void by reason of the Death of any such Bishop, but every such Grant and Appointment shall continue in full force for the Term of Six Calendar Months after any such Death, unless in the mean Time determined by any succeeding Bishop of the said See.

Determination of Grants of Office hereafter to be made by any Bishop of *Durham*.

III. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices and others, without being specially pleaded.

Public Act.

C A P. XVIII.

An Act to authorize the Disposal of unnecessary Prisons in
England. [11th April 1826.]

4 G.4. c.64.

§ 50.

Proceedings by
Justices who
shall consider
any Gaol, &c.
unnecessary.

‘ WHEREAS by an Act passed in the Fourth Year of His present Majesty’s Reign, intituled *An Act for consolidating and amending the Laws relating to the building, repairing and regulating of certain Gaols and Houses of Correction in England and Wales*, Provision is made for the Sale, in certain Cases, of the Sites of old Prisons which are no longer necessary; and it is expedient to extend the same Power to Cases not therein provided for: Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in case it shall appear to the Justices of the Peace who shall be assembled at any General or Quarter Session of the Peace to be henceforth holden for any County, Riding or Division in *England*, that by reason of any Gaol or House of Correction for such County, Riding or Division having been lately built or considerably enlarged, any other Gaol or Gaols, House or Houses of Correction therein hath or have or shall have become unnecessary, the said Justices, or the Justices who shall be assembled at the then next General or Quarter Session to be holden for the same County, Riding or Division, shall order Notice to be given Three Times at least in some public Newspaper circulating in such County, Riding or Division, that the Propriety of selling such unnecessary Gaol or Gaols, House or Houses of Correction, will be taken into Consideration at the next ensuing General or Quarter Sessions; and in case the Justices at such last mentioned Session, or the Majority of them, shall resolve that such last mentioned Gaol or Gaols, House or Houses of Correction, ought to be sold, then it shall be lawful for such Justices, and they are hereby required, to take such Measures for selling the same, together with all Outhouses, Land and Appurtenances to the same belonging, (unless they or any Part thereof shall be the Property of His Majesty, His Heirs or Successors, or of any private Individual,) for the best Price or Prices that can be obtained for the same, either by public Auction or private Contract, and subject to such Conditions and in such Manner as they shall think proper.

Contracts for
Sale of Gaols,
&c. entered
into before this
Act, may be
confirmed by
Justices, after
Notice given in
like Manner.

II. And be it further enacted, That in case any Contract shall, before the passing of this Act, have been entered into by or on behalf of the Justices of the Peace of any County, Riding or Division in *England* in which any Gaol or House of Correction has been lately built or considerably enlarged, for the Sale of any other Gaol or House of Correction therein, and of the Outhouses, Land and Appurtenances thereto belonging (not being the Property of His Majesty or of any private Individual), it shall be lawful for the Justices who shall be assembled at any General or Quarter Session of the Peace to be henceforth holden for such County, Riding or Division, to order Notice to be given, in the Manner herein before directed, that the Propriety of confirming and completing such Contract will be taken into Consideration at the next
ensuing

ensuing General or Quarter Session; and in case the Justices at such last-mentioned Session, or the Majority of them, shall resolve that the Contract so entered into ought to be confirmed and completed, either with or without any Modification of the Conditions thereof, then it shall be lawful for such Justices, and they are hereby required, to order that such Contract be confirmed and completed accordingly.

III. And be it further enacted, That whenever a Sale of any Gaol or House of Correction shall be made, or the Contract heretofore entered into for any such Sale shall be ordered to be confirmed and completed, pursuant to the Directions in this Act contained, and the Purchase Money for the same paid to the Treasurer of the County, Riding or Division hereby authorized to dispose thereof, it shall be lawful for the Trustees or Trustee of every such Gaol or House of Correction, if any, and the Clerk of the Peace of such County, Riding or Division, to convey or surrender such Gaol or House of Correction, with the Outhouses, Land and Appurtenances thereto belonging, unto and to the Use of the Purchaser thereof, and his or her Heirs, or to such Uses as he or she shall direct or appoint; and every such Conveyance or Surrender, together with the Treasurer's Receipt for the Purchase Money, shall give a good and valid Title to the Purchaser; and the Purchase Money shall be applied by the Treasurer towards discharging the Expence which shall have been incurred in building or enlarging any Gaol or House of Correction for the same County, Riding or Division, or in aid of the Rate of the same, as the Justices of the Peace for such County, Riding or Division, in General or Quarter Session assembled, shall direct.

Prison, when sold, to be conveyed by Trustees, &c. to Purchaser; which shall give a valid Title.

Application of Purchase Money.

IV. Provided always, and be it further enacted, That if in the Event of any Sale being effected or confirmed in pursuance of this Act, it shall appear to the Justices by whom the Resolution for making or confirming such Sale shall be entered into, that the Property so sold has never been vested in any Trustees, or that the Trustees thereof are dead, then it shall be lawful for the said Justices to order that such Property shall be conveyed by the Clerk of the Peace to the Purchaser thereof; and in such Case a Conveyance thereof by the Clerk of the Peace, by Indenture of Bargain and Sale, (of which no Inrolment shall be necessary) shall be valid and effectual to all Intents and Purposes.

When Property is not vested in Trustees, Justices may order Clerk of the Peace to convey such Property to Purchaser.

C A P. XIX.

An Act to repeal Two Acts of the Parliament of Scotland, relative to Assault and Battery *pendente Lite*.

[11th April 1826.]

' **W**HEREAS an Act was made in the Parliament of Scotland, in the Year of our Lord One thousand five hundred and eighty four, intituled *An Act anent Slauchter and Trubling maid be Parties in Persute and Defence of thair Actionis*; and another Act was made in the Parliament of Scotland, in the Year of our Lord One thousand five hundred and ninety four, intituled *Anent Slauchter and Trubling of Parties in Persute and Defence of thair Actionis*: And Whereas it is expedient that the said Acts should be repealed; Be it therefore enacted by the King's most Excellent

Acts Parl. Scotland, 1584, c. 138. and 1594, c. 219.

repealed.

cellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said Acts shall be and the same are hereby repealed.

C A P. XX.

An Act to continue an Act of the First and Second Years of His present Majesty, for granting for the Term of Five Years additional Stamp Duties on certain Proceedings in the Courts of Law in *Ireland*. [5th May 1826.]

1 & 2 G. 4.
c. 112.

and the Duties
thereby
granted further
continued.

‘ WHEREAS an Act was passed in the First and Second Years of the Reign of His present Majesty, intituled *An Act to grant for the Term of Five Years additional Stamp Duties on certain Proceedings in the Courts of Law, and to repeal certain other Stamp Duties in Ireland*: And Whereas it is expedient to continue the said Act; Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act, and the Duties thereby granted, shall be and the same is and are hereby continued in full Force and Effect, until other Provision shall be made by Parliament in respect thereof.

C A P. XXI.

An Act for the better regulating Proceedings on Writs of Mandamus, in *Ireland*. [5th May 1826.]

19 G. 2. (L)

On Return to
any Mandamus,
where the
Party can be
admitted to
Office without
Removal of any
other Person,
he may apply to
the Court by
Petition to be
admitted forth.

‘ WHEREAS by an Act passed in the Parliament of *Ireland*, in the Nineteenth Year of the Reign of King *George* the Second, intituled *An Act for the better regulating of Corporations*, it is, amongst other things, enacted, that as often as any Writ of Mandamus shall issue out of the Court of King’s Bench, and a Return shall be made thereto, it shall and may be lawful to and for the Person or Persons suing or prosecuting such Writ of Mandamus to plead to or traverse all or any of the material Facts contained within the said Return; whereupon such subsequent Proceedings may be taken as are in and by the said Act directed: And Whereas from the Delays which occur in such Proceedings, Persons are often unreasonably obstructed in the Establishment of their Rights; Be it enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, whenever any Writ of Mandamus shall issue for the Admission or Restoration of any Person to any Office, Place, Situation or Benefit to which he may be admitted, without the Removal or Displacing of any other Person, and a Return shall be made to such Writ of Mandamus, and the Person suing or prosecuting such Writ of Mandamus shall plead to or shall traverse all or any of the Facts of such Return, as directed by the said recited Act, then and in every such Case it shall and may be lawful to and for every or any such Person to apply to the Court by

by Petition, praying that he may be forthwith admitted to such Office, Place, Situation or Benefit notwithstanding such Return, and pending the Proceedings which may be had thereon under the said recited Act; and thereupon it shall and may be lawful for the Court to appoint a Time for the Hearing of such Petition, and to direct that such Notice of such Petition, and of the Time appointed for hearing the same, shall be given, as such Court shall think proper, to the Person or Persons, or Body or Bodies Politic or Corporate, making such Return, and to such other Persons as such Court shall deem proper and fitting; and upon Affidavit of the due Service of such Notice, it shall be lawful for the said Court to proceed at the Time appointed to hear the Matter of such Petition, and of any Answer or Answers thereto, in a summary Way, upon such Affidavits or other Documents as shall be laid before the said Court, and thereupon to ascertain and declare whether the Person or Persons so suing or prosecuting such Mandamus has or have reasonable and probable Grounds to entitle such Person or Persons to the Relief sought by such Mandamus, and to make any such Rule or Order or Rules or Orders thereon, for granting or refusing the Prayer of such Petition, and for admitting or for the delaying the Admission of such Person or Persons to the Office, Place, Situation or Benefit which shall be the Subject of such Application, and also for Costs, in such Manner as such Court shall think proper, and to enforce Obedience to any and every such Rule or Order as to other Rules or Orders of the Court.

with; and the Court may make Order accordingly.

Proviso for Costs.

II. And be it further enacted, That if it shall appear to the Court that any Person so applying, and for whose admission to any Office, Place, Situation or Benefit any Rule or Order of such Court shall be made, under the Provisions of this Act, did apply to the Mayor, or other Officer or Officers, or Person or Persons in any City, Town Corporate, Borough or Corporation, having Authority to admit to the Office, Place, Situation or Benefit in Question, and did give Notice in Writing specifying the Nature of his Claim and of his Intention, if not admitted, to apply to the Court of King's Bench for a Writ of Mandamus, pursuant to the Provisions contained in an Act passed in the Parliament of Ireland, in the Thirty third Year of the Reign of His late Majesty King George the Third, intituled *An Act for giving Relief in Proceedings upon Writs of Mandamus for the Admission of Freemen into Corporations*; and that such Mayor, or other Officer or Person did, after such Notice, refuse or neglect to admit such Person so applying, it shall and may be lawful for the Court, if they shall see no just Cause to the contrary, to direct that such Person shall receive from such Mayor or other Officer or Person who neglected or refused to grant such Admission all Costs to which such Person so applying shall have been put in applying for, obtaining and serving such Writ of Mandamus, and in enforcing the same, together with the Costs of applying for, obtaining, serving and enforcing any such Rule or Order of the Court under this Act; and if any such Rule or Order made under the Authority of this Act shall not be obeyed, then the same shall be enforced in such Manner as any other Rule or Order made by the said Court can or may be enforced by Law.

Court may direct Payment of Costs.

33 G.S. (I.)

Such Order
subject to Al-
teration.

Validity
thereof.

III. Provided always; and be it enacted, That every Rule or Order of such Court so made shall be subject to be varied, altered or annulled by or under or in Execution of any Judgment which shall or may be given in, upon or under such Writ of Mandamus, or such Plea or Traverse thereto; but every such Rule or Order shall be and remain good, valid and effectual according to the Terms thereof, so long and so far as the same shall stand and remain not varied, altered or annulled as aforesaid.

C A P. XXII.

An Act to enable Persons to continue their Compositions for Assessed Taxes for further Periods, and for allowing Persons who have not compounded to enter into Composition for a limited Term. [5th May 1826.]

1 & 2 G.4.
c. 113.
3 G.4. c.50.
4 G.4. c.45.
5 G.4. c.44.

• Compositions
for Houses and
Windows may
be continued
for Two Years
on Notice;
Compositions
for other As-
sessed Taxes
may be con-
tinued for
Three Years.

‘ WHEREAS under the Provisions of an Act passed in the First and Second Years of the Reign of His present Majesty, and of other subsequent Acts, the Compositions which have been respectively renewed and entered into, for relieving Persons from annual Assessments for the Assessed Taxes, will expire with respect to the Duties on Windows or Lights, and on Inhabited Houses, on the Fifth Day of *April* One thousand eight hundred and twenty eight; and for the other Duties of Assessed Taxes in the said Acts mentioned, on the Fifth Day of *April* One thousand eight hundred and twenty seven: And Whereas it is expedient to allow Persons to have the Option of enlarging the Periods for the Determination of their Contracts of Composition, and also to afford Persons who have not compounded the Benefit of compounding for a certain Term under the Provisions of this Act:’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in every Case where any Person or Persons who hath or have so compounded under the said Acts, shall give Notice in the Manner hereinafter directed, he, she or they shall be at liberty to continue and extend his, her or their present Composition on the Terms and in Manner following; *videlicet*, Contracts of Compositions for the Duties on Windows or Lights, and Inhabited Houses, for the further Term of Two Years, to commence from the Fifth Day of *April* One thousand eight hundred and twenty eight; Contracts of Composition for other Duties of Assessed Taxes renewed under the said Acts, where the former Duties and the additional Duty by the said Acts granted are payable, and all other Contracts of Composition in force for the said other Duties of Assessed Taxes, where no Increase of any Article or Articles of the Establishment compounded for shall have taken place within the Periods of any such Composition, for the further Term of Three Years, to commence from the Fifth Day of *April* One thousand eight hundred and twenty seven; and all and every such Contracts of Composition shall and may be so continued and extended, on Payment of Duties to the same annual Amount, for the said further Periods of Two Years and Three Years respectively, as the Duties now severally payable

payable on such Contracts, and no more; and all other Contracts of Composition, not being the Descriptions aforesaid, in force for the said other Duties of Assessed Taxes, shall and may be renewed and extended for the like further Term of Three Years, commencing from the said Fifth Day of *April* One thousand eight hundred and twenty seven, on Payment of Duties to the same annual Amount as those now payable on such Contracts, together with an additional annual Duty of One Shilling for every Twenty Shillings of the aggregate Amount of such Duties so payable, and so after that Rate for any greater or lesser Sum than Twenty Shillings.

Additional
Duty.

II. And be it further enacted, That in every Case where any Person or Persons shall be desirous of continuing his, her or their Compositions under the Provisions of this Act, he, she or they shall, before the First Day of *May* One thousand eight hundred and twenty seven, in *England, Wales* and *Berwick upon Tweed*, and before the First Day of *August* in the same Year in *Scotland*, deliver or cause to be delivered to the Assessor or Assessors, Collector or Collectors of the Parish, Township or Place, in *England, Wales* and *Berwick upon Tweed*, and in *Scotland* to the Surveyor acting for the Division wherein such Compositions shall be respectively payable, a Notice according to the Form in the Schedule to this Act annexed (marked Number One), declaring his, her or their Desire to continue such Composition; and where any such Person or Persons shall claim the Continuance of his, her or their Composition without Payment of any additional Duty under this Act, on the Ground of not having increased his, her or their Establishment in respect of any Article or Articles of the Description compounded for, such Person or Persons shall also, before the respective Days and in Manner aforesaid, deliver or cause to be delivered to the same Assessor or Assessors, Collector or Collectors or Surveyors as aforesaid, a Declaration to that Effect, according to the Form in the said Schedule to this Act annexed (marked Number Two); and all such Declarations shall, on Delivery, be subject to the like Examinations and Rules for ascertaining the Accuracy thereof, and to Objections to the same, as provided under the same Acts for the Examination of Notices and Returns in securing due Compositions; and every such Notice and Declaration, respectively signed by the Person or Persons so compounding, (or by his, her or their authorized Agent in the Manner in the said Acts prescribed,) shall, on Delivery to any Assessor or Assessors, Collector or Collectors or Surveyors as aforesaid, be binding on the Person or Persons compounding (except in Cases of false Declarations hereinafter provided) to all Intents as if a renewed Contract of the further Periods herein allowed were entered into under the Provisions of the said Acts: Provided always, and where any Person or Persons shall deliver any such Declaration that shall be false and untrue, such Person or Persons shall lose the Benefit of continuing his, her or their Composition under the Provisions of this Act; and such Person or Persons shall also be liable to the like Penalty and Penalties as is and are imposed by the Acts relating to the said Duties on Persons liable to the said Duties making an untrue Return or false Declaration of any Particulars required by the said Acts.

To whom Notice of continuing Contract to be delivered:

Also a Declaration where Establishment has not been increased.

How far Notice binding on Party.

Delivering untrue Declaration.

Penalty.

To whom Assessors and Collectors to deliver Notices and Declarations.

Notices sufficient Authority to the Commissioners to continue Compositions.

Proviso as to additional Duty.

New Compositions may be entered into.

On Notice by Party.

Additional annual Duty.

Persons intending to enter

III. And be it further enacted, That the respective Assessors and Collectors, by whom such Notices and Declarations shall from time to time be received, are hereby strictly enjoined and required forthwith and with all Diligence to deliver the said Notices to the Commissioners of the respective Districts, or their Clerks, and all and every the said Declarations to the Surveyor acting for the District in which the same shall be received; and every such Notice and Declaration, after the Expiration of the corresponding Periods for the Examinations thereof, as by the said Acts is provided with respect to like Notices or Returns under the said Acts, for the Purposes of full and due Assessment and Composition, shall be a sufficient Authority for the respective Commissioners, and they are hereby authorized and required, to charge such Persons respectively in the annual Composition Assessments for the said further Terms; and the Payments of the Instalments shall be made and enforced Half Yearly under the Provisions of the said Acts and of this Act, on the like Days of Payments, and to all Intents as if the respective Contracts had been originally made and entered into for the Periods herein provided, and to which such Notices shall respectively extend; and all Persons so charged to the Composition Duties to be hereby continued, and paying the same, and the additional Duties hereby granted in the Cases where payable, shall be protected against annual Assessments during the Periods of continued Composition, in like Manner as such Persons are now protected under their existing Compositions against annual Assessments.

IV. And be it further enacted, That from and after the passing of this Act it shall and may be lawful for any Description of Person or Persons competent to compound within the Times and in Manner prescribed by the said former Acts, who shall respectively be duly assessed to the said Rates and Duties on Windows or Lights, or on any Article or Articles allowed to be compounded for under the said Acts respectively, for the Year commencing the Fifth Day of *April* One thousand eight hundred and twenty six, and who shall give the Notice of his, her or their Intention to compound within the time and in the Manner hereinafter provided, to compound for the Rates and Duties assessed on his, her or their Dwelling House, and also for his, her or their other Assessed Taxes of the Descriptions allowed to be compounded for by the said Acts, and therein particularly enumerated, for the Term of Four Years respectively, to commence from the said Fifth Day of *April* One thousand eight hundred and twenty six, on the annual Payment of such Duties respectively, together with an additional Duty of One Shilling for every Twenty Shillings of the respective Amounts so assessed, and so after that Rate for any greater or lesser Sum than Twenty Shillings; and the Assessments so to be made and compounded for under this Act shall severally be and remain to the same annual Amount for the said Term of Four Years, and under the like Protection to the Parties compounding, from and against annual Assessments in respect of the like Description of Duties, to all Intents as if the said Duties had been compounded for under the said Acts.

V. And be it further enacted, That all and every Person and Persons desirous of compounding under this Act shall, on or before

before the First Day of *August* One thousand eight hundred and twenty six, deliver or cause to be delivered, free of Charge, to the Surveyors acting for the respective Districts comprising the Parishes or Places wherein such Persons shall respectively reside, a Notice in Writing, according to the Form and in the Manner by the said Acts directed, (*mutatis mutandis*,) declaring his, her or their Intention to compound under this Act for the Term of Four Years, commencing as aforesaid; and which Notice shall be acted upon, observed and followed for the Purpose of Composition on a full and complete Assessment, for the said Term of Four Years, commencing as aforesaid; and the said Commissioners shall and are hereby authorized and required to contract with such Persons respectively under the Provisions in the said recited Acts and this Act respectively contained, for the Period and in the Manner herein limited, and according to the Form of Contract applicable to the Case of new Compositions prescribed by the said Acts, to all Intents as if such Notices had been delivered under the Provisions of the said Acts.

into new Compositions under this Act to give Notice.

Commissioners to contract therein as by former Acts.

VI. And be it further enacted, That it shall be lawful for any Person or Persons, who having compounded under the said Acts in respect of a Carriage with Two Wheels, and who shall continue his, her or their Composition under the Provisions of this Act; and also for any Person or Persons who shall compound under this Act for any such Carriage, and who respectively shall be desirous, during any Year commencing from and after the Fifth Day of *April* One thousand eight hundred and twenty six, to set up and keep a Carriage with Four Wheels, giving previous Notice of such his, her or their Intention to the Surveyor of the said Duties acting for the District in which such Person shall reside, One Calendar Month at least before the setting up and keeping such Carriage, and on Payment of the Difference of Duty compounded for on a Two wheeled Carriage, and the Duty chargeable on a Four wheeled Carriage, together with the like additional Composition Duty *per Centum* payable by such Contract, and to be computed on such Difference, to be indorsed by Certificate on every such Contract of Composition, by any Two of the Commissioners acting in the Execution of this Act, in the District in which such Contract shall have been entered into or continued, and to commence and be made payable within and for the whole of the Year commencing from the Fifth Day of *April* One thousand eight hundred and twenty six, in which such setting up of a Four wheeled Carriage shall take place, by Half Yearly Instalments, during the Continuance of the said Contract; and which additional Payments shall be enforced in like Manner as if they were originally inserted in every such Contract; and any Person seeking the Benefit of this Provision shall and may, during the Continuation of the increased Composition, have the like Privileges as those which are now enjoyed by Persons compounding under the said Acts: Provided always, and in case of any such setting up of a Four wheeled Carriage in the Year commencing on the Fifth Day of *April* One thousand eight hundred and twenty six, and before any Contract shall be completed under this Act, then such Contract shall and may be entered into, in the first Instance, for a Four wheeled Carriage, to all Intents as if the Party was assessed for the same.

Persons having compounded for a Two wheeled Carriage may set up a Four wheeled Carriage on Payment of Difference of Duty.

With additional Duty.

Provido.

Commissioners
and other Off-
cers acting
under former
Composition
Acts to execute
this Act.

VII. And be it further enacted, That the several Persons who for the Time being shall be Commissioners for putting in Execution the Acts relating to Assessed Taxes, and the said Acts for compounding for the said Duties, shall be Commissioners for putting in Execution this Act and the Powers herein referred to or contained, in all and every the respective Counties, Ridings, Divisions, Shires and Stewartries, Cities, Boroughs, Cinque Ports, Towns and Places in *Great Britain*; and the several Assessors, Collectors, Surveyors, Inspectors and Inspectors General for the Time being, appointed or to be appointed to put in Execution the said Acts, shall respectively be Assessors, Collectors, Surveyors, Inspectors and Inspectors General, to put in Execution this Act within the Limits of the respective Divisions, Districts and Places to which they are or shall be appointed; and the respective Commissioners and other Persons authorized by the said recited Acts to contract and agree for such Compositions, or to perform any other Matter or Thing for carrying the said Acts into Execution, shall severally and respectively continue, and also contract and agree for the respective Compositions to be continued, and those to be entered into under this Act, and to do and perform all such other Matters and Things as are required to be done and performed in the Execution of this Act within the Limits of their respective Jurisdictions; and all the Powers and Authorities given and granted to them by or under the said Acts, so far as they apply and are not repugnant to the Provisions of this Act, shall and they are hereby declared to be renewed and continued for the Purposes of this Act, in as ample and effectual Manner as if the same Powers and Authorities were expressly re-enacted by this Act, and shall severally be applied, construed, deemed and taken to belong to this Act as Part thereof, in like Manner as if the same had been herein expressly given, granted and applied by this Act; and the said Commissioners and others before mentioned are hereby empowered and required to do and perform all Things necessary for putting this Act into Execution, in the like and in as full and ample a Manner as they or any of them are or were or was authorized to put in Execution the said several Acts.

Provisions of
former Compo-
sition Acts to
be applied to
this Act, except
as herein
varied.

VIII. And be it further enacted, That all and every the Provisions and Directions, Rules, Regulations, Methods, Clauses, Matters and Things contained in the said Acts, although expressly applied to the Compositions made under the said Acts or either of them, shall severally and respectively be construed and deemed to apply to the Compositions to be entered into under this Act, and (except when other Provisions, Directions, Rules, Regulations, Methods, Clauses, Matters and Things are substituted in and by this Act) shall severally and respectively be used and practised in ascertaining, assessing and charging the Amount on which any Composition is to be continued or made, and the additional Rate to be imposed thereon respectively, and in doing and performing all other Matters and Things necessary for carrying this Act into Execution; and shall be construed, deemed and taken to belong to this Act as Part thereof, in like Manner as if the same were severally repeated in and expressly applied to the Provisions of this Act; and where other Provisions, Directions, Rules, Regulations, Methods, Clauses, Matters and Things are substituted
by

by this Act, in Lieu of any Provisions, Directions, Rules, Regulations, Methods, Clauses, Matters and Things contained in the said Acts, the same respectively shall be construed, used and practised in such Manner and to the like Effect in all Respects, and within corresponding and like Times and Periods, as if the said Acts and this Act had been incorporated, and as if this Act had expressly abrogated and made void the several Parts of the said Acts in Lieu whereof any Part or Parts of this Act are or is substituted.

IX. And be it further enacted, That this Act may be altered, amended or repealed by any Act or Acts to be passed in this present Session of Parliament. Act may be altered, &c. this Session.

SCHEDULE referred to by this Act.

No. I.

FORM of NOTICE of Continuance of Contract under this Act.

To the Commissioners acting for the Division of
 in the County of and to the Assessor
 [or Collector] of the Parish [Township or Place] in the said
 Division [or, if in Scotland, To the Surveyor of the said
 Division of as the Case may be].

TAKE Notice, that I am [or, we are] desirous of continuing, under the Powers, Conditions and Provisions of an Act passed in the Seventh Year of the Reign of King George the Fourth, my [or, our] Contract [or Contracts, as the Case may be,] of Composition for Assessed Taxes now in force and payable in the said Parish [Township or Place]. (To be signed.)

No. II.

FORM of DECLARATION to be delivered by Persons desirous of continuing their Compositions free from additional Duty of Five per Centum, in Cases where no Increase of the Article or Articles compounded for shall have taken place.

To the Assessor [or Collector] of the
 Assessed Taxes for the Parish [Township or Place] of
 in the Division of
 [or, if in Scotland, To the Surveyor of the Assessed Taxes
 for the Division of].

I, [or We,] the undersigned, having delivered to you a Notice of my [or our] Intention to continue my [or our] Contract [or Contracts, as the Case may be,] of Composition for my [or our] Assessed Taxes now in force, under the Provisions of an Act passed in the Seventh Year of the Reign of King George the Fourth, do hereby declare that I [or we] have not at any Time during the Period of my [or our] said Composition set up or increased any Article or Articles of my [or our] Establishment of the Description compounded for, over and above the Number included in my [or our] said Composition, and on which Account I [or we] hereby claim the Continuance thereof without Payment of any additional Duty. (To be signed.)

C A P. XXIII.

An Act to repeal the Duties and Drawbacks of Excise upon tawed Kid Skins, Sheep Skins and Lamb Skins.

[5th May 1826.]

43 G.3. c.69.

3 G.4. c.83.
§ 3.

6 G.4. c.55.

6 G.4. c.81.
§ 2.

‘ WHEREAS by an Act passed in the Forty third Year of the
 ‘ Reign of His late Majesty King *George* the Third, to repeal
 ‘ the Duties of Excise payable in *Great Britain*, and to grant
 ‘ other Duties in Lieu thereof, certain Duties are respectively im-
 ‘ posed upon Kid Skins, and upon Sheep Skins and Lamb Skins,
 ‘ dressed in Alum and Salt or Meal, or otherwise tawed, in *Great*
 ‘ *Britain*: And Whereas by an Act passed in the Third Year of
 ‘ the Reign of His present Majesty, to repeal the additional Duties
 ‘ and Drawbacks on Leather granted and allowed by Two Acts
 ‘ of His late Majesty, and to grant other Drawbacks in Lieu thereof,
 ‘ and to secure the Duties on Leather, certain Drawbacks re-
 ‘ spectively are allowed and granted upon all Skins and Parts and
 ‘ Pieces of Skins, tawed in *Great Britain*, and exported from
 ‘ *Great Britain* to Foreign Parts as Merchandize; and upon all
 ‘ Leather tawed in *Great Britain*, which shall be manufactured
 ‘ and actually made into Boots, Shoes, Saddles or Gloves in and
 ‘ duly exported from *Great Britain* to Foreign Parts as Mer-
 ‘ chandize; and upon all Leather tawed in *Great Britain* which
 ‘ shall be manufactured and actually made into Goods and Wares,
 ‘ other than Boots, Shoes, Saddles or Gloves in and duly exported
 ‘ from *Great Britain* to Foreign Parts as Merchandize; and upon
 ‘ Boots or Shoes made in *Great Britain*, the upper Leathers, Vamps
 ‘ and Boot Legs of which are made of Kid Skins, and which shall
 ‘ be duly exported from *Great Britain* to Foreign Parts as Mer-
 ‘ chandize: And Whereas by another Act passed in the Fifth
 ‘ Year of the Reign of His said present Majesty, amongst other
 ‘ Things, to assimilate the Duties and Drawbacks on Hides, Skins,
 ‘ Leather, Parchment, Paper and Paper Hangings, manufactured
 ‘ in *Ireland*, to the Duties and Drawbacks payable on the like
 ‘ Articles in *Great Britain*, certain Duties are also respectively
 ‘ imposed upon Kid Skins, and upon Sheep Skins and Lamb Skins,
 ‘ dressed in Alum and Salt or Meal, or otherwise tawed, in *Ire-*
 ‘ *land*; and certain Drawbacks respectively are allowed and granted
 ‘ upon all Skins, and Parts and Pieces of Skins, tawed in *Ireland*,
 ‘ which shall be duly exported to Foreign Parts as Merchandize;
 ‘ and upon all Leather tawed in *Ireland* which shall be manufac-
 ‘ tured and actually made into Boots, Shoes, Saddles or Gloves,
 ‘ and duly exported to Foreign Parts as Merchandize; and upon
 ‘ all Leather tawed in *Ireland* which shall be manufactured and
 ‘ actually made into Goods and Wares other than Boots, Shoes,
 ‘ Saddles and Gloves in *Ireland*, and duly exported to Foreign
 ‘ Parts as Merchandize; and upon Boots or Shoes made in *Ire-*
 ‘ *land*, the upper Leather, Vamps and Boot Legs of which are
 ‘ made of Kid Skins, and which shall be duly exported to Foreign
 ‘ Parts as Merchandize: And Whereas by another Act passed in
 ‘ the Sixth Year of the Reign of His said present Majesty, to
 ‘ repeal several Duties payable on Excise Licences in *Great Bri-*
 ‘ *tain* and *Ireland*, and to impose other Duties in Lieu thereof,
 ‘ and to amend the Laws for granting Excise Licences, a Duty is
 ‘ imposed

' imposed upon every Licence thereby required to be taken out by every Tawer: And Whereas it is expedient to repeal the several Duties and Drawbacks hereinbefore recited, so far as the same relate to tawed Kid Skins, Sheep Skins and Lamb Skins respectively, whether manufactured and actually made into any Goods or Wares, or otherwise: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifth Day of *July* One thousand eight hundred and twenty six, the said several Duties and Drawbacks hereinbefore recited, so far as the same relate to tawed Kid Skins, Sheep Skins and Lamb Skins respectively, whether manufactured and actually made into any Goods or Wares or otherwise, shall be and the same are hereby respectively repealed; save and except as to any Arrear thereof, and to any Penalty or Forfeiture incurred in respect of such Duties and Drawbacks on or before that Day.

Duties and Drawbacks on Skins herein specified repealed, as herein mentioned.

II. Provided always, That nothing in this Act contained shall be deemed or construed to repeal or affect any Law or Laws of Excise requiring every Tawer of Kid Skins or Sheep or Lamb Skins, in *Great Britain* or *Ireland*, to make Entry at the proper Excise Office of the Buildings, Places or Utensils in or with which he or she shall carry on such Trade or Business, or which authorize the Officers of Excise to survey and inspect the same, and all Hides and Skins, and Parts and Pieces of Hides and Skins, which such Tawer may at any Time taw or in anywise manufacture, or have in his or her Possession, and all Materials used or employed, or which shall be found on such Premises, or in his or her Possession, for that Purpose.

Proviso for Laws requiring Entry of Premises, or authorizing Inspection of Officers.

C A P. XXIV.

An Act for fixing, until the Twenty fifth Day of *March* One thousand eight hundred and twenty seven, the Rates of Subsistence to be paid to Innkeepers and others on quartering Soldiers.

[5th May 1826.]

[This Act is the same as 6 G. 4. c. 20. except as to Dates.]

C A P. XXV.

An Act to continue, until the Fifth Day of *July* One thousand eight hundred and twenty eight, an Act for preventing private Distillation in *Scotland*.

[5th May 1826.]

' WHEREAS an Act was passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act to continue, until the Tenth Day of November One thousand eight hundred and twenty six, certain Parts of an Act of the Third Year of His present Majesty, among other Things for the preventing private Distillation in Scotland*: And Whereas it is expedient that so much and such Parts of the said Act of the Third Year of the Reign of His said present Majesty, continued by the above recited Act, should be further continued: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present

3 G. 4. c. 52.
as continued by
5 G. 4. c. 56.

further con-
tinued.

sent Parliament assembled, and by the Authority of the same, That so much and such Parts of the said Act of the Third Year of the Reign of His said present Majesty as is and are continued by the said recited Act shall be and the same is and are hereby further continued from the said Tenth Day of *November* One thousand eight hundred and twenty six, until the Fifth Day of *July* One thousand eight hundred and twenty eight.

C A P. XXVI.

An Act for continuing to His Majesty for One Year certain Duties on Personal Estates, Offices and Pensions in *England*, for the Service of the Year One thousand eight hundred and twenty six. [5th May 1826.]

‘ Most Gracious Sovereign,

38 G.S. c. 60.

38 G.S. c. 5.

‘ **W**E, Your Majesty’s most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty’s public expences, have freely and voluntarily resolved to give and grant unto Your Majesty the Duties hereinafter mentioned: And Whereas by an Act passed in the Thirty eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for making perpetual, subject to Redemption and Purchase in the Manner therein stated, the several Sums of Money now charged in Great Britain as a Land Tax for One Year, from the Twenty fifth Day of March One thousand seven hundred and ninety eight*, the several and respective Sums of Money charged by virtue of an Act of the same Session of Parliament, intituled *An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain for the Service of the Year One thousand seven hundred and ninety eight*, on any Manors, Messuages, Lands, Tenements or Hereditaments in *Great Britain* are, after the Twenty fifth Day of *March* One thousand seven hundred and ninety nine, continued and made perpetual, with a Provision that the several Sums of Money charged upon Estates in ready Money, Debts, Goods, Wares, Merchandize or Personal Estates, or upon any Person or Persons in respect of any Public Office or Employment of Profit, or any Salaries, Gratuities, Bounty Monies, Rewards, Fees, Profits, Perquisites, Advantages, Pensions, Annuities, Stipends or yearly Payments in the said Act mentioned, should, after the Twenty fifth Day of *March* One thousand seven hundred and ninety nine, be ascertained, raised, levied, collected and paid, according to the Directions of any Act or Acts to be passed for that Purpose: And Whereas the Sums of Money and Duties last mentioned have been from time to time continued by divers Acts of Parliament, and are now in force until the Twenty fifth Day of *March* One thousand eight hundred and twenty six: Therefore we, Your Majesty’s most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in

in this present Parliament assembled, and by the Authority of the same, That the several and respective Sums of Money and Duties which shall have been or shall be charged upon Estates in ready Money, Debts, Goods, Wares, Merchandize, Chattels or other Personal Estate, by Virtue of the said Act passed in the Thirty eighth Year of the Reign of His said late Majesty, for granting an Aid to His Majesty by a Land Tax, and also the several Sums of Money and Duties which by Virtue of the said recited Act, made in the Thirty eighth Year of His said late Majesty's Reign, for granting an Aid to His Majesty by a Land Tax, were charged in Respect of any Public Offices or Employments, or any Annuities, Pensions, Stipends or other annual Payments, and which have been continued and are in force until the Twenty fifth Day of *March* One thousand eight hundred and twenty six, shall be continued, and raised, levied, collected and paid unto His present Majesty within the Space of One Year from the said Twenty fifth Day of *March* One thousand eight hundred and twenty six.

Duties charged on Personal Estates, Offices and Pensions by recited Acts further continued.

II. And be it further enacted, That the several Clauses and Provisions contained in an Act made in the last Session of Parliament, intituled *An Act for continuing to His Majesty for One Year certain Duties on Personal Estates, Offices and Pensions in England; and also for granting certain Duties on Sugar imported; for the Service of the Year One thousand eight hundred and twenty five*, for the ascertaining, assessing, taxing, regulating, paying and accounting for the Duties on Personal Estates, Offices and Pensions, shall extend and be construed to extend to the Duties hereby granted and continued; and that the several Clauses and Provisions in the said Act of the last Session of Parliament contained, which relate or refer to any Day or Time within or during, or before or after the Year commencing from the Twenty fifth Day of *March* One thousand eight hundred and twenty five, shall extend and be construed to relate to the like Days and Times within or during or before or after the Year commencing from the Twenty fifth Day of *March* One thousand eight hundred and twenty six, in like Manner as by the said recited Act is directed, with Reference to the Year One thousand eight hundred and twenty five, and as if the several Clauses and Provisions in the said recited Act contained were repeated and re-enacted in this present Act.

The several Clauses of 6 G. 4. c. 9. for ascertaining and regulating the Duties, extended to this Act.

C A P. XXVII.

An Act to defray the Charge of the Pay, Clothing and contingent and other Expences of the Disembodied Militia in *Great Britain* and *Ireland*; and to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Quarter Masters, Surgeons, Assistant Surgeons, Surgeons' Mates, and Serjeant Majors of Militia, until the Twenty fifth Day of *March* One thousand eight hundred and twenty seven.

[5th *May* 1826.]

[This Act is the same as 6 G. 4. c. 31. except as to Dates, and the Section and Table A. here inserted.]

XXVII. AND Whereas it is expedient that the Deputy Lieutenants acting in any Subdivision of any County, Stewartry, City or

Deputy Lieutenants may summon Surgeons on Appeals of Exemption.

55 G.S. c. 65.

' or Place in *Great Britain*, and the Special Deputy Wardens acting in any Subdivision in the Stannaries of the Counties of *Cornwall* and *Devon*, should be assisted by the Advice of a Surgeon in deciding upon the Appeals of Persons claiming to be exempt from Service in the Militia by reason of bodily Infirmary; Be it therefore enacted, That it shall be lawful for any Two Deputy Lieutenants, and they are hereby empowered and required, to summon, by Two Days' previous Notice in Writing, the Surgeon of any Regiment, Battalion or Corps of Militia to attend at any Subdivision Meeting held for hearing Appeals, at any Place specified by such Deputy Lieutenants, and not being more than Ten Miles from the Head Quarters of the Regiment to which such Surgeon belongs, in order that such Surgeon may examine into the Validity of all such Appeals: and in Case there shall not be any such Surgeon of the Militia within the Distance above mentioned, then to summon in like Manner for that Purpose any other competent Surgeon; and every such Surgeon of Militia or other Surgeon shall, before he begins any such Examination, take the Oath prescribed by an Act passed in the Fifty fifth Year of the Reign of His late Majesty King George the Third, intituled *An Act to amend the Laws relating to the Militia of Great Britain*, which Oath any Deputy Lieutenant is hereby authorized to administer; and every such Surgeon shall receive for such Attendance, at any such Meeting, without any other Fee or Reward whatever, the same Allowances as are directed by the said recited Act to be paid to Surgeons of Militia or other Surgeons for attending at Subdivision Meetings held for Enrolment of Men to serve in the Militia: Provided always, that the Accounts and Vouchers upon which the said Allowances shall be claimed shall be transmitted to the Secretary at War at the several Periods specified in the Table marked (A) to this Act annexed, in order that the Secretary at War may give the necessary Directions for the Payment thereof.

TABLE (A) to which this Act refers.

SCALE of RATES of Remuneration to the Clerks of General and Subdivision Meetings of Lieutenancy in Great Britain, including the Clerks of the Tower Hamlets and the Stannaries of Cornwall and Devon, and to Schoolmasters, Constables and other Officers in Scotland, for carrying into Execution Two Acts of Parliament passed in the Forty second Year of the Reign of King George the Third, cap. 90. and 91., and other Acts relating to the Militia.

ALLOWANCES TO THE CLERKS OF GENERAL MEETINGS.		£	s.	d.
1. For Trouble in calling a General Meeting by circular Letters or Advertisements (no separate Charge being made for writing the Letters or framing the Advertisements) - -		0	7	6
2. For attending General Meetings, at which the Statutory Quorum of Lieutenancy shall be present, each - -		5	5	0
For each Meeting which shall be necessarily adjourned by the Clerk in Consequence of the Absence of the Lord Lieutenant or Deputy Lieutenants - - -		1	11	6
Which Allowances are to be in full for engrossing Minutes, &c.				

	£	s.	d.
3. For filling up printed Precepts to the High or Chief Constable of each Subdivision, Hundred, Lathe, Rape or Wapentake in England and Wales, including the Tower Hamlets and the Stannaries of Cornwall and Devon, to return Lists, each - - - - -	0	0	6
For filling up printed Precepts to the Schoolmasters, Chief Constables or other Officers in Scotland, to return Lists, each - - - - -	0	0	6
4. For writing the annual Advertisement for regulating, arranging and fixing the First Subdivision Meeting of the Deputy Lieutenants for receiving the parochial Lists and hearing Appeals - - - - -	0	7	6
5. For arranging Subdivision Lists and making Abstracts thereof, Schedule (D), for the Privy Council, the Secretary of State and the Secretary at War, the latter Copy to be annexed to the Clerk's Accounts as a Voucher, viz.			
In Counties furnishing a Quota of 200 Men or under in the Original Number of the Militia - - - - -	2	2	0
In Counties furnishing from 201 to 400 Men - - - - -	3	3	0
Ditto - - - - - 401 to 600 Men - - - - -	4	4	0
Ditto - - - - - 601 to 800 Men - - - - -	5	5	0
Ditto - - - - - 801 Men and upwards - - - - -	6	6	0
6. For striking the Proportion of Men to serve for the several Hundreds, Rapes, Lathes, Wapentakes or other Divisions of a County in England and Wales, and for each respective Parish or other Division of a County or Stewartry in Scotland, under the several Acts of Parliament relating to the regular Militia, when necessary to be done:			
In Counties furnishing a Quota of 200 Men, or under - - - - -	1	1	0
Ditto from 201 to 400 Men - - - - -	2	2	0
Ditto from 401 to 600 Men - - - - -	3	3	0
Ditto from 601 to 800 Men - - - - -	4	4	0
Ditto from 801 Men and upwards - - - - -	5	5	0
7. For Trouble in engrossing in a Book the Names of the Men contained in each Subdivision Return of Enrolment (Schedule E):			
For engrossing 50 Names, and under - - - - -	0	5	0
Ditto - 51 to 150 Names - - - - -	0	10	0
Ditto - 151 to 250 Names - - - - -	1	0	0
Ditto - 251 Names and upwards - - - - -	1	10	0
8. For drawing out fair Copy of the Lord Lieutenant's Annual Return of the Militia for the County, containing the Number, Names and Rank of the Officers, and the Number of the Noncommissioned Officers, Drummers and Private Men:			
In Counties furnishing One Regiment, Battalion or Corps - - - - -	0	15	0
Ditto - Two - Ditto - - - - -	1	10	0
Ditto - Three - Ditto - - - - -	2	0	0
No separate Charge being made for Attendance upon the Lord Lieutenant or Deputy Lieutenants for his or their Signatures thereto.			
Note. — This Allowance is of course only chargeable by the General Clerks of these Counties in			

Scotland which furnish the greatest Proportion of Men towards the Formation of the Regiment, Battalion or Corps.

9. For Stationery :

To the Clerk of General Meetings in a County where the Number in the original Quota of the Militia is under 300 Men - - - - -

£ s. d.
2 0 0

Ditto from 301 to 600 Men - - - - -

3 0 0

Ditto from 601 to 900 Men - - - - -

4 0 0

Ditto from 901 Men and upwards - - - - -

5 0 0

10. For Copyings, Correspondence, &c. &c.

To the Clerk of General Meetings in a County where the Number in the original Quota of the Militia is 200 Men, or under - - - - -

2 0 0

In a County furnishing from 201 to 400 Men - - - - -

3 0 0

Ditto - - - from 401 to 600 Men - - - - -

4 0 0

Ditto - - - from 601 to 800 Men - - - - -

5 0 0

Ditto - - - from 801 Men and upwards - - - - -

6 0 0

11. The actual Amount expended for printing and publishing the Advertisements, for Postages, Expresses and Messengers, to be allowed upon an Account specifying each Article of Postage, &c. certified specially by the Lieutenantancy, whose Certificate shall state that the same were necessary and actually performed.

The Charge for printing and publishing Advertisements is invariably to be supported by the Receipt of the Person to whom paid.

TRAINING AND EXERCISE.

12. For filling up printed Notices to the Clerks of Subdivision Meetings, of the Time and Place fixed by the Lord Lieutenant or Deputy Lieutenants for assembling the Militia to be trained and exercised, each Notice - - - - -

0 0 6

13. For making out correct Abstracts from the Adjutant's or other Commanding Officer's Returns, Schedule (F), in the Form Schedule (G), for His Majesty's Secretary of State for the Home Department, in Counties in England and Scotland furnishing a Quota towards the Formation of an entire Regiment or Battalion - - - - -

1 0 0

In Counties in England, Wales and Scotland furnishing

One Regiment, Battalion or Corps - - - - -

2 0 0

Ditto - - Two - - Ditto - - - - -

3 0 0

Ditto - - Three - - Ditto - - - - -

4 0 0

ALLOWANCES TO CLERKS OF SUBDIVISION MEETINGS.

14. For Trouble in calling a Subdivision Meeting by Advertisement, no separate Charge being made for writing Letters or framing the Advertisement - - - - -

0 5 0

Or, for calling a Meeting by circular Letters to the Deputy Lieutenants, the Adjutant, or other Commanding Officer (no Charge being made for the Draft), for each Letter -

0 1 0

15. For attending Subdivision Meetings, for each of the Three First or principal Meetings at which the Statutory Quorum of Lieutenantancy shall be present, viz.

For receiving Lists and hearing Appeals,	£	s.
For balloting,		
For enrolling,		
And for the Meeting held to apportion the Deficiencies among the Parishes, &c. when necessary to be done; and also, for calling out the Quota or Apportionment of the Subdivision to be trained and exercised; which Allowance shall be in full for engrossing Minutes and making up Lists	2	2
And for each Meeting held by Adjournment to complete the Business of any or either of the Three First or principal Meetings above enumerated, which Allowance shall be in full for engrossing Minutes and making up Lists	1	5
And for each Meeting which shall have been summoned, but which is necessarily postponed by the Subdivision Clerk in consequence of the Absence of the Deputy Lieutenants	0	15
16. For filling up printed Precepts to the Chief or High Constables in England and Wales, including the Tower Hamlets and Stannaries of Cornwall and Devon, to give Notice of the Number of Men apportioned to serve for each Parish, and to issue out their Orders to the Petty Constables to serve Notices upon balloted Men, each Precept	0	0
And, for filling up printed Precepts to the Schoolmasters, Chief Constables, Constables or other Officers in Scotland, for the Performance of similar Duty, each Precept	0	0
17. For Trouble in amending the Returns of Persons liable to serve in the Regular Militia, by taking out the Names of all Persons who may appeal, and whose Appeals or Claims of Exemption have been allowed, and inserting the Names of any Persons that have been omitted to be inserted, and in numbering the Returns and making out the Tickets for the Ballot, after the Rate of Two Pounds for every One thousand Names of Persons returned liable to serve, and so in proportion for a greater or smaller Number of Men	£2	per 1,0
18. For making out the Annual Abstracts of Lists, Schedule (C), for the Use of the Clerk of General Meetings, where the original Quota or Apportionment of the Subdivision is		
- 50 Men and under	2	2
From 51 to 150 Men	3	3
From 151 to 250 Men	4	4
From 251 Men and upwards	5	5
19. For making out fair and true Copies of Lists of Men enrolled for each Subdivision of a County in Great Britain, including the Tower Hamlets and the Stannaries of Cornwall and Devon, for the Use of the Clerk of General Meetings, Schedule (E), and the Colonel or Commandant of the Regiment of the County, viz.		
For a Roll containing 50 Names, and under	0	5
from 51 to 150 Names	0	10
from 151 to 250 Names	0	15
from 251 Names and upwards	1	0

		£	s.	d.
0. For Stationery to the Clerk of a Subdivision furnishing Men towards the Quota of a County, in the following Proportions, viz.				
For a Subdivision furnishing 50 Men and under		1	10	0
from 51 to 150 Men		2	0	0
from 151 to 250 Men		2	10	0
from 251 Men and upwards		3	0	0
11. For Correspondence and Copyings to the Clerk of a Subdivision furnishing Men towards the Quota of a County in the following Proportions, viz.				
For a Subdivision furnishing 50 Men and under		2	0	0
from 51 to 150 Men		3	0	0
from 151 to 250 Men		4	0	0
from 251 Men and upwards		5	0	0
22. The actual Amount expended for printing and publishing Advertisements, for Postages, Expresses and Messengers, to be allowed upon an Account, specifying each Article of Postage, and specially certified by the Lieutenancy, whose Certificate shall state that the same was necessary, and actually performed.				
The Charge for printing and publishing Advertisements is invariably to be supported by the Receipt of the Person to whom paid.				
23. For Trouble in apportioning and distributing to the Constables of the several Townships, Parishes, &c. within the Limits of the Subdivision, the various Forms of Schedules, &c.				
For a Subdivision furnishing 50 Men and under		0	5	0
from 51 to 150 Men		0	10	0
from 151 to 250 Men		0	15	0
from 251 and upwards		1	0	0
TRAINING AND EXERCISE.				
24. For filling up printed Precepts to the High or Chief Constable in each Subdivision of any County in England and Wales, including the Tower Hamlets and the Stannaries of Cornwall and Devon, to issue out their Warrants to the Petty Constables, Tithingmen or other Officers within their respective Hundreds, to give Notice in Writing to the Men enrolled to attend the Training and Exercise of the Militia:				
For each Precept containing 50 Names and under		0	5	0
from 51 to 150 Names		0	10	0
from 151 to 250 Names		0	15	0
from 251 Names and upwards		1	0	0
And for filling up printed Precepts to the Chief Constables, and to the Schoolmasters, Constables or other Officers of the Parishes within the Subdivisions of any County, Stewartry, City or Place in Scotland, to give Notice in Writing to the Men enrolled to attend the Training and Exercise of the Militia:				
For each Precept containing 10 Names and under		0	0	6
from 11 to 30 Names		0	1	0
from 31 to 50 Names		0	2	6

	£	s.	d.
from 51 to 70 Names - - - -	0	4	0
from 71 to 100 Names - - - -	0	7	0
from 100 upwards - - - -	0	10	0
25. For making out full and true Lists of the Names and Dates of Enrolment of all Persons enrolled within each Subdivision respectively, for the Use of the Commanding Officer and Adjutant of each Regiment, Battalion or Corps of any County, Stewartry, City or Place in Great Britain, previously to the Training and Exercise :			
For a Roll containing 20 Names and under - -	0	2	6
from 21 to 50 Names - - - -	0	5	0
from 51 to 150 Names - - - -	0	10	0
from 151 to 250 Names - - - -	0	15	0
from 251 and upwards - - - -	1	0	0
26. For correcting the Books of Enrolment of the Subdivision, so as to correspond accurately with the Extracts from the Adjutant's or other Commanding Officer's Return, Schedule (F), of the State of the Classes of the Men forming the Quota or Apportionment serving in the Regiment, Battalion or Corps of Militia of any County, Stewartry, City or Place in Great Britain :			
For a Subdivision furnishing 50 Men and under - -	0	5	0
from 51 to 150 Men - - - -	0	10	0
from 151 to 250 Men - - - -	0	15	0
from 251 and upwards - - - -	1	0	0
ALLOWANCES TO SCHOOLMASTERS IN SCOTLAND.			
27. For filling up and delivering Notices to Householdors, for each Day, consisting of Eight Hours - - - -	0	5	0
28. For making out Lists, for each Folio consisting of Sixty Lines - - - -	0	1	0
29. For attending Meetings of Lieutenancy, each Meeting - -	0	10	0
30. For filling up and delivering Notices to balloted Men, per Day - - - -	0	5	0
31. For Stationery, per Annum - - - -	0	5	0
ALLOWANCES TO CONSTABLES IN SCOTLAND.			
32. For filling up and delivering Notices to Householdors, for each Day, consisting of Eight Hours - - - -	0	4	0
33. For making out Lists, for each Folio, consisting of Sixty Lines - - - -	0	1	0
34. For attending each Meeting of Lieutenancy, per Day - -	0	4	0
35. For filling up and delivering Notices to balloted and enrolled Men, per Day - - - -	0	4	0
36. For Stationery, where the Lists are made out by the Constables, per Annum - - - -	0	5	0

SPECIAL CONTINGENT ALLOWANCES applicable to the Clerks of General and Subdivision Meetings of Lieutenancy respectively.

- 37. When it is necessary to call a Person from a Distance to perform the Duty of a General or Subdivision Clerk, such Person shall have an Allowance for his travelling Expences,**

not exceeding Nine Pence per Mile, and the Expence of Tolls and Ferry Money; but the Particulars of such Expences shall be specified in a Statement, and certified by the Lieutenantcy, and transmitted in Support of the Charge in the Clerk's Annual Account.

38. The Expence necessarily incurred for the Use of a Room at the Place of Meeting, to be allowed upon the Production of the Receipt of the Person to whom the same may be paid.

GENERAL INSTRUCTIONS applicable to the Accounts.

39. All Clerks of General and Subdivision Meetings of Lieutenantcy in Great Britain, and Schoolmasters and Constables and other Officers in Scotland, are to make out distinct Annual Accounts, and the Period to be embraced in each Account shall be as follows; viz.

ENGLAND AND WALES.

The Accounts of the Clerks of Lieutenantcy in England and Wales are to embrace an Annual Period, commencing from the Tenth October in one Year, and terminating on the Ninth October in the succeeding Year.

SCOTLAND.

The Accounts of the Clerks of Lieutenantcy, Schoolmasters, Constables, and other Officers are to embrace an Annual Period, commencing on the First November in one Year, and terminating on the Thirty first October in the succeeding Year.

The Accounts of the Schoolmasters, Constables, and other Officers, which form a Part of the Accounts of the Clerks of Lieutenantcy in Scotland, are to be transmitted with those Accounts as Vouchers.

40. The General Annual Accounts, with the relative Vouchers, certified in the Manner prescribed, and all special Authorities for Allowances granted by the Secretary at War, distinguishing the Expences incurred under each of the Acts of Parliament relating to the Militia Force of Great Britain, shall be transmitted to the Secretary at War annually for Examination and Payment at the following Periods; viz.

ENGLAND AND WALES.

The Accounts of the Lieutenantcy Clerks, including those of the Tower Hamlets and the Stannaries of Cornwall and Devon, not earlier than the Tenth October nor later than the Twenty fourth December in each Year.

SCOTLAND.

The Accounts of the Lieutenantcy Clerks, Schoolmasters, Constables, and other Officers, not earlier than the First November nor later than the Twenty fourth December in each Year.

N.B. No Account shall be received after the said Twenty fourth of December for the Year terminating on the preceding Ninth and Thirty first Days of October respectively, except upon a special Explanation of the Causes which may have rendered the

the Delay in the Transmission of the Accounts in question necessary.

41. The foregoing Accounts of the Clerks of General and Subdivision Meetings of Lieutenancy, Schoolmasters, Constables and other Officers, are invariably to be certified in the following Manner, viz. the Account of the Clerk of General Meetings by the Lord Lieutenant, or by Three Deputy Lieutenants, &c. and the Accounts of the Clerks of Subdivision Meetings by Two of the Deputy Lieutenants under whom they act; and the said Clerks of General and Subdivision Meetings, Schoolmasters, Constables and other Officers, shall likewise make Oath to the Justness of them in the Form hereunto annexed.

FORM OF OATH.

‘ I (Clerk, Schoolmaster, Constable, &c.), acting in the District of _____ in the Shire, County or Stewartry of _____ do hereby solemnly certify and swear, That the preceding (*a General Clerk's Oath to be qualified thus*, ‘in as far as I have any Interest therein’) is a just and true Account of Business performed by me, for and in behalf of the Public Service, according to the Manner therein set forth; that I was employed during the full Time therein stated; and that the Sums claimed as disbursed were well and truly paid out by me; and this is Truth.

‘ So help me GOD.’

‘ Sworn at _____ before _____ }
‘ this _____ Day of _____ }

ALLOWANCES granted under the Provisions of the Act of the Fifty fifth Geo. 3. Cap. 65. Section 8. and of this Act, to Surgeons of Militia or to Private Surgeons, for their Attendance at the Subdivision Meetings of the Deputy Lieutenants held for hearing Appeals and for Enrolment.

All Claims for Remuneration to the Surgeons of Militia or to Private Surgeons, under the Acts of Parliament above quoted, shall, in future, embrace a Period corresponding with that prescribed for the Accounts of the Clerks of Lieutenancy of England and Wales (including the Tower Hamlets and the Stannaries of Cornwall and Devon), and of Scotland respectively, and shall be transmitted to the Secretary at War for Examination and Payment at the Period specified in the Fortieth Item of the foregoing Table.

C A P. XXVIII.

An Act for exonerating certain Estates called *Corsica Hall, Alfriston, Maff Alfriston* otherwise *Maffe Alfryshon* and *Dean Place*, in the County of *Sussex*, belonging to *John Henry Tilson* Esquire, from the Claims of the Crown.

[5th May 1826.]

‘ WHEREAS *John Henry Tilson* of *Watlington Park* in the County of *Oxford* Esquire was appointed Receiver General of the Land Tax and Assessed Taxes for the County of *Oxford* in the Month of *May* in the Year One thousand eight hundred

' and sixteen; and the said *John Henry Tilson*, together with
 ' Sureties approved by His Majesty's Commissioners for the Affairs
 ' of Taxes, are by a Bond of Record jointly and severally bound
 ' to His Majesty, in a large Penalty, for the due Execution by
 ' him of the said Office of Receiver General: And Whereas the
 ' said *John Henry Tilson* has passed his Accounts down to the
 ' Year ending the Fifth Day of *April* One thousand eight hundred
 ' and twenty three, and hath duly paid all the Balances and Sums
 ' of Money received by him into His Majesty's Exchequer, ac-
 ' cording to the Contract entered into by him with the said Com-
 ' missioners for Affairs of Taxes: And Whereas subsequently to
 ' the said *John Henry Tilson's* Appointment as such Receiver
 ' General as aforesaid, he became possessed of the Equity of
 ' Redemption of certain Estates in the Parishes of *Seaford* and
 ' *Alfriston* in the County of *Sussex*: And Whereas under the Pro-
 ' visions of an Act passed in the Thirteenth Year of the Reign
 ' of Queen *Elizabeth*, intituled *An Act to make the Lands, Tene-*
 ' *ments, Goods and Chattels of Tellers, Receivers, et cetera, liable*
 ' *to the Payment of their Debts*, and under the Provisions of an
 ' Act passed in the Twenty fifth Year of the Reign of His late
 ' Majesty King *George the Third*, intituled *An Act for the more*
 ' *easy and effectual Sale of Lands, Tenements and Hereditaments*
 ' *of Crown Debtors or their Sureties*, all the Lands, Tenements
 ' and Hereditaments of which the said *John Henry Tilson* was
 ' seised on the Day on which he became an Officer or Accountant
 ' to the Crown, or has been seised at any Time since, are, and
 ' during such Time as he shall continue such Officer or Ac-
 ' countant, and until his ultimate Balance shall be paid into the
 ' Exchequer, and a Quietus obtained for the same, will be liable
 ' to be put in Execution and sold for the Payment of his Arrears
 ' in the Collection and Receipt of the said Taxes and Duties, and
 ' in consequence thereof the said *John Henry Tilson* is unable to
 ' make a good Title to the said Estate called *Corsica Hall*, or to
 ' the said Manors or reputed Manors, Farms and Estates called
 ' *Alfriston*, *Maff Alfriston* otherwise *Maffe Alfrysh-ton*, and *Dean*
 ' *Place*, or either of them, to any Purchaser or Mortgagee thereof:
 ' And Whereas inasmuch as the said *John Henry Tilson* hath
 ' become possessed of the said Estates in the said Parishes of
 ' *Seaford* and *Alfriston* since he was appointed Receiver General
 ' as aforesaid; and inasmuch as he hath duly paid up all his
 ' Balances and passed his Accounts as such Receiver General as
 ' aforesaid down to the Year ending the Fifth of *April* One thou-
 ' sand eight hundred and twenty three inclusively; and inasmuch
 ' as the Payment of all Monies due and to become due from him
 ' in respect of the said Land Tax and Assessed Taxes will be
 ' sufficiently and effectually secured by the other Property of the
 ' said *John Henry Tilson*, and by the Bond of himself and his
 ' Sureties, notwithstanding a Release of the Claims of the Crown
 ' against the said Estates in the said County of *Sussex*; and
 ' inasmuch as the said *John Henry Tilson's* Sureties are satisfied
 ' that the other Property of the said *John Henry Tilson*, inde-
 ' pendently of the said Estates, forms an ample Protection to them
 ' against any Claim that may be made upon them under their
 ' Bonds, and are willing to consent that the said Estates in the
 ' said

18 Eliz. c.4.

25 G.S. c.35.

‘ said County of *Sussex* should be exonerated from such Claims of
 ‘ the Crown as aforesaid, it is reasonable that the said *John Henry*
 ‘ *Tilson* should be enabled to make a good Title to the said Estates
 ‘ in the said County of *Sussex*, discharged from such Claims of
 ‘ the Crown:’ To the End therefore that a good Title may be
 made to the said Estates in the said County of *Sussex*, notwithstanding such Claims, May it please Your most Excellent Majesty (at the humble Petition of the said *John Henry Tilson*) that it may be enacted; and be it enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the Estate called *Corsica Hall*, and the Manors or reputed Manors, Farms and Estates called *Alfriston*, *Maff Alfriston* otherwise *Maffe Alfryshton*, and *Dean Place*, and all and every Part and Parcel of the same respectively; and all other Lands, Tenements and Hereditaments of the said *John Henry Tilson*, in the said Parishes of *Seaford* and *Alfriston*, or either of them, together with the several and respective Rights, Members and Appurtenances thereunto respectively appertaining, and all the Estate, Right, Title and Interest of the said *John Henry Tilson* and his Heirs therein and thereto respectively, shall be, and all and every Purchasers or Purchaser or Mortgagees or Mortgagee of the same Estates, Manors or reputed Manors, Farms, Hereditaments and Premises, any or either of them, or any Part or Parts thereof respectively, and their respective Heir, Executors, Administrators and Assigns, shall have, hold and enjoy the same, and all and every Part thereof respectively, acquitted and absolutely discharged of and from the Arrears and Debts which have become due to His late Majesty or His present Majesty, or which may accrue or shall become due to His present Majesty, His Heirs or Successors, by or from the said *John Henry Tilson*, on account of or in respect to the said Office so held by the said *John Henry Tilson* as aforesaid, or any Matter, Cause or Thing in anywise relating thereto, and of and from all Recognizances, Bonds and Obligations made by the said *John Henry Tilson* to His late or present Majesty, or to be made by the said *John Henry Tilson* to His present Majesty, His Heirs or Successors, during such Time as he the said *John Henry Tilson* shall be or remain an Accountant or Debtor to His present Majesty, His Heirs or Successors, and all Actions, Suits, Claims and Demands whatsoever, which His Majesty, His Heirs or Successors might have or be entitled unto if this Act had not been made, on account or in respect of the same or any of them, and of and from all Right, Title, Interest, Property, Claim and Demand whatsoever of His Majesty, His Heirs or Successors, in, to, from, out of or upon the said Manor or reputed Manors, Estates, Farm, Hereditaments and Premises, or any or either of them, or any Part or Parts thereof respectively; any Thing in the said Act passed in the Reign of Her said late Majesty Queen *Elizabeth*, or in any other Act or Acts of Parliament relating to Accountants or Debtors to the Crown to the contrary notwithstanding.

Certain Estates of J. H. TILSON, Esq. exonerated from the Claims of the Crown.

C A P. XXIX.

An Act to amend the Law of *Ireland* respecting the Assignment and Subletting of Lands and Tenements.

[5th May 1826.]

‘ **W**HEREAS it is expedient to ensure the Fulfilment of the Covenants and Conditions in existing Leases of Lands and Tenements in *Ireland*, for preventing the Assignment or Subletting of the Lands and Tenements demised thereby, and to make more effectual Provisions to restrain such Assignment or Subletting in future; Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That where Lands or Tenements in *Ireland* are or shall be holden under any Lease, Instrument or Agreement in Writing, in force at the Time of the passing of this Act, or which shall be made or entered into at any Time on or before the First Day of *June* One thousand eight hundred and twenty six, which Lease, Agreement or Instrument shall contain any Condition or Covenant prohibiting, controlling or regulating the Assignment or Subletting of the Lands or Tenements demised or agreed to be demised thereby, or of any Part thereof, no Act, Matter or Thing whatever to be done or acquiesced in by the Lessor or Person contracting to lease by such Deed or Instrument, or by his or their Heirs, Executors, Administrators or Assigns, shall be deemed, taken or construed, in any Court of Law or Equity, to be or to amount to a Waiver of the Benefit of any such Condition or Covenant; and that in any Action or Actions for the Breach of any Condition or Covenant, committed at any Time after the said First Day of *June* One thousand eight hundred and twenty six, such Lessor or contracting Party, and his and their Heirs, Executors, Administrators and Assigns, shall be entitled to recover the Possession of such Lands or Tenements by virtue of any such Condition, or any Penalty for the Breach of any such Covenant, according to the Provisions of any such Condition or Covenant respectively, unless it shall be expressly proved that such Assignment or Subletting was made with the Consent of such Lessor or contracting Party, his or their Heirs, Executors, Administrators or Assigns, testified, where such Assignment or Subletting shall be by Deed or written Instrument, by his or their being a Party to and signing and sealing such Deed or written Instrument, or where such Assignment or Subletting shall not be by Deed or written Instrument, testified by his or their Consent in Writing, or unless the Benefit of such Condition or Covenant shall have been expressly waived by some Writing signed by the Party entitled to the Benefit thereof.

II. And be it further enacted, That in all Cases the Person assigning or subletting contrary to this Act, without such Consent, signified as hereinbefore directed, shall not have or be entitled to any Remedy by Distress or otherwise for Recovery of any Rent or Sum reserved in and by any Deed, written Instrument or other Agreement, by which such subletting or assigning shall be

In what Cases only where Lands are held under Lease made before 1st June, 1826, with Covenant against subletting, any future Act of the Landlord shall be deemed a Waiver of such Covenant.

No Remedy for Lessee subletting without Consent for Rent or Occupation.

be made, or for the Occupation of any of the Lands or Tenements so assigned or subletten; any Thing in any such Deed, Instrument or Agreement, or any Law, Statute or Usage to the contrary in anywise notwithstanding.

III. And be it further enacted, That where Lands or Tenements in Ireland shall be held by virtue of any Lease or Agreement for a Lease, which shall be executed or entered into at any Time after the First Day of June One thousand eight hundred and twenty six, not containing a Clause expressly authorizing and empowering the Lessee or Tenant to assign or sublet, (other than a Lease for a Term of Ninety nine Years or upwards, or a Lease for Lives or Years with a Covenant for perpetual Renewal, or a Lease held immediately under any Persons or Bodies Corporate or Ecclesiastical, or held under any Person or Persons deriving from the immediate Lessee of such Persons or Bodies Corporate or Ecclesiastical, with a *toties quoties* Covenant for Renewal,) it shall not be lawful for such Lessee or Tenant, his or their Heirs, Executors, Administrators or Assigns, to assign or sublet, either by written Instrument or otherwise, any such Lands or Tenements, or any Part thereof, without the express Consent of the Lessor or contracting Party in such Lease or Contract, his or their Heirs, Executors, Administrators or Assigns, testified, where such Assignment or Subletting shall be by Deed or written Instrument, by his or their being Party to and signing and sealing such Deed or written Instrument, or by his or their written Indorsement on such Deed or Instrument, ratifying or confirming the same, or where such Assignment or Subletting shall not be by Deed or written Instrument, testified by his or their Consent in Writing; and every such Assignment or Subletting, and every Lease, Deed or Instrument, or other Agreement or Proceeding, whereby such Assignment or Subletting shall be made without such Consent as aforesaid, and testified as aforesaid, shall be and be deemed wholly void and invalid to all Intents and Purposes whatsoever; any Law, Statute or Usage to the contrary in anywise notwithstanding, unless such Consent shall be indorsed or executed in Writing as aforesaid; and that in any Proceeding in Law or Equity relating to such Assignment or Subletting, the Party so assigning or subletting, or the Party to whom such assigning or subletting shall be made or attempted to be made, shall not be entitled to avail himself of any constructive or parol Waiver of the Benefit of this Act, by or on behalf of any such Lessor or contracting party.

IV. Provided always, and be it enacted, That where any actual Waiver of the Benefit of any Condition or Covenant in any Lease as aforesaid, or of the Benefit of this Act, on the Part of any Lessor or Person contracting to lease, or his or their Heirs, Executors, Administrators or Assigns, shall be proved to have taken place in any One particular Instance, such actual Waiver shall not be assumed or deemed or construed to extend to any Instance or to any Breach or Breaches of Covenant or Condition, other than that to which such Waiver shall specially relate, nor to be a general Waiver of the Benefit of any such Covenant or Condition, or of the Benefit of this Act.

V. And be it further enacted, That in all Cases where any Person or his Heirs, Executors or Administrators, who is or shall be seized

In what Cases only where Lands held by Lease made after 1st June 1826 Lessees may assign or sublet without express Consent of the Lessor in Writing, or by Indorsement on the Deed, &c.

No constructive Waiver of Benefit of this Act shall be allowed.

Particular special Waiver not to extend to other Cases, nor deemed a general Waiver.

Persons holding Lands under an

Assignment with Consent of Lessor, and paying Rent to the Party subletting, acquitted against the Lessor so consenting, and any Person deriving Title under him.

seized or possessed of any Lands or Tenements in *Ireland*, under any Assignment or Subletting made with the Consent of the Lessor or Person contracting with the Person so assigning or subletting, or his or their Heirs, Executors, Administrators or Assigns, according to the Provisions hereinbefore contained, shall, at any Time after the First Day of *June* One thousand eight hundred and twenty six, duly pay and satisfy the Rent due from such Person or Persons, his or their Heirs, Executors or Administrators, to the Person or Persons, or his or their Heirs, Executors, Administrators or Assigns, who shall have so assigned or sublet such Lands or Tenements with such Consent as aforesaid, the Receipt of such Person so assigning or subletting, or of his Heirs, Executors, Administrators or Assigns, shall be a full and sufficient Discharge to such Person or Persons who shall have paid such Rent, and to his and their Heirs, Executors or Administrators, as well against the Person or Persons so assigning or subletting, as also against the Lessor or Person contracting with the Person so assigning or subletting, and who shall have given his or their Consent to such Assignment or subletting, signified as hereinbefore provided; and the Person or Persons so having paid such Rent, or his or their Heirs, Executors or Administrators, or his or their Goods, Chattels or Effects, Lands or Tenements, shall not be subject or liable to the Payment of or to any Distress or other Remedy for any Rent due to such consenting Party or Person, or to any Person deriving under him by virtue of any Title subsequent to the giving of any such Consent as aforesaid; any Law, Usage or Custom to the contrary in anywise notwithstanding.

On Failure of Payment of Rent by Party assigning with Consent, Landlord may give Notice to Subtenants to pay their Rents to him.

VI. Provided always, and be it enacted, that in any Case in which any Lessee, having received such Consent as by this Act is required to the Assignment or Subletting of any Lands or Tenements, or the Heirs, Executors or Administrators of any such Lessee, shall not duly pay the Rent reserved in and by the Lease under which such Lands or Tenements shall be held by such Lessee, to the Party entitled to receive the same, it shall be lawful for the Party entitled to such Rent, at any Time when there shall be due to him Two or more full Gales or Portions of the Rent reserved in such Lease, to give Notice in Writing, in the Form contained in the Schedule annexed to this Act, to all and every Persons or Person who shall be then in Occupation of the Lands and Tenements which shall have been assigned or sublet with such Consent as aforesaid, requiring each and every such Person to pay to the Party giving such Notice the Rent reserved upon the Holding or Holdings of any and every such Person respectively.

After such Notice, Subtenants shall pay to Superior Landlord.

VII. And be it further enacted, That from and after the Delivery of such Notice to any Person in Occupation of such Lands or Tenements as aforesaid (by being left at the House or usual Place of Abode of any such Person, either with such Person or with some One of the Family of such Person above the Age of Sixteen Years,) every such Person shall pay to the Landlord signing such Notice, or to his Heirs, Executors, Administrators or Assigns, all and every Sums and Sum whatever due or to grow due for Rent from such Person to the Lessee so having assigned

assigned or subletten, with such Consent as aforesaid, or to his Heirs, Executors or Administrators; and from and after such Notice as aforesaid, and until the Satisfaction of all the Sums due to the Person giving such Notice, on account of all Rent due from such Lessee having so assigned or subletten as aforesaid, the Receipt of the Person giving such Notice, or his Heirs, Executors, Administrators or Assigns, shall be a full and sufficient Discharge to the Person or Persons in the Occupation of such Lands or Tenements who shall have paid such Rent, and to his and their Heirs, Executors or Administrators, against the Person having so assigned or subletten, or his Heirs, Executors or Administrators; and the Person or Persons so having paid such Rent, or his or their Heirs, Executors or Administrators, or his or their Goods, Chattels or Effects, Lands or Tenements, shall not be subject or liable to the Payment of any Rent, or to any Distress or other Remedy for the same, to any Person under whom such Person or Persons may hold by reason of any such assigning or subletting as aforesaid.

His Receipt
shall be their
Discharge.

VIII. And be it further enacted, That from and after the Delivery of such Notice as aforesaid, and until the Satisfaction of all Rent and Arrears of Rent due to the Party giving such Notice, or his Heirs, Executors, Administrators or Assigns, he and they shall have and enjoy all such Rights, Powers and Authorities for the recovering and enforcing the Payment of any Rent due and payable by any Person or Persons occupying the Lands so assigned or sublet as aforesaid, as could or might have been enjoyed, or as could or might have been legally exercised or enforced against any such Person or Persons respectively by the Party so assigning or subletting as aforesaid; any Thing in this Act, or any Law, Usage or Custom to the contrary notwithstanding.

Landlord
giving Notice
shall have
Power to re-
cover Rents.

IX. And be it further enacted, That from and after the First Day of *June* One thousand eight hundred and twenty six, it shall not be lawful to or for any Person or Persons, his or their Heirs, Executors, Administrators or Assigns, who shall hold any Lands or Tenements under any Lease or Agreement made before the said First Day of *June* One thousand eight hundred and twenty six, containing any Condition or Covenant against subletting or assigning of the same, nor for any Person or Persons, his or their Heirs, Executors, Administrators or Assigns, who shall hold any Lands or Tenements under any Lease or Agreement which shall be made or entered into any Time subsequent to the said First Day of *June* One thousand eight hundred and twenty six, not containing a Clause expressly authorizing and empowering the Lessee or Tenant to assign or sublet, (other than a Lease for a Term of Ninety nine Years or upwards, or a Lease for Lives or Years with a Covenant for perpetual Renewal, or a Lease held immediately under any Person or Bodies Corporate or Ecclesiastical, or held under any Person or Persons deriving from the immediate Lessee of such Persons or Bodies Corporate or Ecclesiastical, with a *toties quoties* Covenant for Renewal,) to devise such Lands or Tenements, or any Part thereof, by his or their last Will and Testament, so as to portion or divide such Lands or Tenements to or among several Persons: Provided always, that

Lessees of
Lands held un-
der Lease not
authorising the
subletting
(except Leases
for 99 Years,
&c.) shall not
devise to more
than One
Person.

Proviso for
Descent and
Distribution on
Intestacy.

that nothing in this Act contained shall extend or be construed to extend to prevent the Inheritance or Distribution of any Lands or Tenements to or among any Person or Persons who would be entitled thereto according to Law, upon the Decease of any Person or Persons dying intestate.

SCHEDULE to which this Act refers.

FORM of Notice from a Superior Landlord to the Sub Tenant of such Landlord's immediate Lessee.

A. B.

TAKE Notice, That I the undersigned *C. D.* Superior Landlord of the Lands and Tenements underletten to you by *E. F.* do hereby require you to pay to me the said *C. D.* or to my Heirs, Executors, Administrators or Assigns, all Rent and Arrears of Rent payable by you for the said Lands and Tenements, until all Sums due from the said *E. F.* for his Rent of the said Lands and Tenements shall be fully paid and satisfied to me, or my Heirs, Executors, Administrators or Assigns. Witness my Hand, this _____ Day of _____ *C. D.*

To *A. B.* of _____

C A P. XXX.

An Act to amend the several Acts for authorizing Advances for carrying on Public Works, and to extend the Provisions thereof in certain Cases. [5th May 1826.]

57 G. 3. c. 34.

WHEREAS an Act was passed in the Fifty seventh Year of the Reign of His late Majesty King *George the Third*, intituled *An Act to authorize the Issue of Exchequer Bills, and the Advance of Money out of the Consolidated Fund, to a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in Great Britain, in Manner therein mentioned*: And Whereas another Act was passed in the same Session of Parliament to amend the said recited Act: And Whereas the said recited Acts have been amended, and the Powers thereof extended by several Acts passed in the Fifty eighth Year of His said late Majesty, and in the First, Third, Fourth, Fifth, and Sixth Years of the Reign of His present Majesty; and it is expedient to make Provision for extending the Benefit of the said Acts in certain Cases: And Whereas an Act was passed in the last Session of Parliament, intituled *An Act to amend the Laws relating to Bankrupts*; and Doubts have arisen how far certain Provisions of the said recited Act of the Fifty seventh Year of His said late Majesty's Reign, and the several Acts for amending the same, may be affected by the said last recited Act of the last Session of Parliament; Be it therefore declared and enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act of the last Session of Parliament for amending the Laws relating to Bankrupts, or any Clause, Matter or Thing therein contained, shall not extend, or be deemed or construed to extend, to repeal, alter or abridge any

57 G. 3. c. 124.
amended by

58 G. 3. c. 88.
1 G. 4. c. 60.
3 G. 4. c. 86.
4 G. 4. c. 10.
5 G. 4. c. 36.
6 G. 4. c. 35.
6 G. 4. c. 16.

The Powers
given to the
Commissioners
under
57 G. 3. c. 34.

any Powers, Clauses, Provisions or Regulations, for the Purpose of enabling the Commissioners for the Execution of the said recited Act of the Fifty seventh Year of His late Majesty's Reign, or of any Act or Acts for amending or extending the said Act of the said Fifty seventh Year, to enforce Payment of any Loan or Advance made by them, in case of the Bankruptcy of any Party or Parties to whom such Loans or Advances have been or shall be made, or in case of the Bankruptcy of the Sureties of any such Parties respectively; but that all such Powers, Clauses, Provisions and Regulations contained in the said recited Act of the Fifty seventh Year of His said late Majesty's Reign, or in the several Acts for altering or amending the same, or in any of them, shall remain and continue in full Force and Effect; any Thing in the said Act of the last Session of Parliament for amending the Laws relating to Bankrupts in anywise notwithstanding.

for enforcing the Payment of Advances made by them not abridged in Cases of Bankruptcy by
6 G.4. c.16.

II. And Whereas by an Act passed in the Third Year of His present Majesty's Reign, intituled *An Act to amend Two Acts of the Fifty seventh Year of His late Majesty and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries, and Employment of the Poor, and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts*; and also by an Act made in the Sixth Year of His present Majesty's Reign, intituled *An Act to render more effectual the several Acts for authorizing Advances for carrying on Public Works, so far as relates to Ireland*; the Commissioners for the Execution of the said recited Acts are directed to take Interest at the Rate of Four Pounds *per Centum per Annum*, upon any Advances to be made by them under and by virtue of the said Acts, and the several Acts therein recited or referred to: And Whereas it is expedient that from and after the passing of this Act the said Commissioners should be authorized and empowered to take and charge Interest at the Rate of Five Pounds *per Centum per Annum* upon all Advances made by them in *Great Britain or Ireland*; Be it therefore enacted, That from and after the passing of this Act it shall be lawful for the said Commissioners, and they are hereby authorized and required, to take Interest at and after the Rate of Five Pounds *per Centum per Annum* on any Loans or Advances to be made by them, either in *Great Britain or Ireland*, at any Time after the passing of this Act; any Thing contained in the said recited Acts to the contrary thereof in anywise notwithstanding.

3 G.4. c.86.

6 G.4. c.35.

Commissioners to take 5l. per Cent. Interest on future Loans.

III. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be deemed or construed to extend, to alter, lessen or abridge the Powers given to or vested in the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, by an Act passed in the Fifth Year of His present Majesty's Reign, intituled *An Act to amend the Acts for the Issue of Exchequer Bills for Public Works*, as explained and amended by the said recited Act of the Sixth Year of His Majesty's Reign, to reduce the Rate of Interest in the Manner and under the Circumstances in the said Acts particularly stated and referred to.

Proviso for 5 G.4. c.77. as amended by 6 G.4. c.35.

IV. And

Commissioners may lend to any Archbishop or Bishop in Ireland for purchasing Lands or Houses, or for building or improving Houses of Residence.

Taking into Consideration the Matters herein mentioned.

Commissioners to take Mortgage of Revenue of Archbishops, &c. for securing Repayment.

Archbishops, &c. empowered to mortgage.

‘ IV. And Whereas it is expedient to extend the Provisions of the said recited Act of the Sixth Year of His present Majesty’s Reign, for rendering more effectual the several Acts for authorizing Advances for carrying on Public Works, so far as relates to *Ireland*, and to enable the said Commissioners for the Execution of the said Act to make Advances in *Ireland* to any Archbishop, Bishop, or other Ecclesiastical Person, for providing suitable or more convenient Residences;’ Be it therefore enacted, That from and after the passing of this Act it shall and may be lawful for the Commissioners for the Execution of the said recited Act, upon Application in Writing being made to them in that behalf, by any Archbishop or Bishop or other Ecclesiastical Person in *Ireland*, to lend and advance to such Archbishop or Bishop or other Ecclesiastical Person, out of the Sum of Three hundred thousand Pounds, by the said Act authorized to be issued out of the growing Produce of the Consolidated Fund of the United Kingdom arising in *Ireland*, such Sum or Sums of Money as the said Commissioners shall think fit, for the Purpose of purchasing, within the Diocese or Benefice of any such Archbishop, Bishop or other Ecclesiastical Person, any Land upon which any House or Houses or Offices or other Buildings, have been already built, with Conveniences thereto belonging; or any Land fit for building a House, Offices and Conveniences thereon, for the Habitation and Residence of any such Archbishop, Bishop or other Ecclesiastical Person, and their respective Successors for ever, or any Land, Tenements or Hereditaments, for the Purpose of repairing, enlarging or improving any House or Houses, Outhouses, Gardens or Orchards, of or belonging to the Demesne, Glebe or Mensal Land, or any other Lands, of such Archbishop, Bishop or other Ecclesiastical Person, or for otherwise providing suitable or more convenient Residences for any such Archbishop, Bishop or other Ecclesiastical Person respectively, having regard, in considering all such Applications, to the clear yearly Value of the Archbishopric, Bishopric or other Benefice, for which such Houses and Lands are intended to be purchased, built, repaired or enlarged as aforesaid, and the Advantages to be derived from the same to such Archbishopric, Bishopric or other Benefice as aforesaid, and also to the Sufficiency of the Security proposed for the Repayment of the Money advanced.

V. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and required to take from any such Archbishop, Bishop or other Ecclesiastical Person, a Mortgage or Charge on the Revenue and Receipts of any Archbishopric, Bishopric or other Benefice, to secure the Repayment of the Amount of any Sum advanced under the Authority of this Act, by Instalments of sufficient Amount in the whole to repay the Principal Money advanced within the Period of Twenty Years from the Date of the said Advance; and the first of which Instalments shall commence and be payable within the Period of Five Years at farthest from the Date of such Advance, with Interest at the Rate of Five Pounds *per Centum per Annum* on the Principal from time to time remaining due; and it shall be lawful for any such Archbishop, Bishop or other Ecclesiastical Person, and he and they is and are hereby severally and respectively

tively authorized and required to mortgage, charge, assign and make over their respective Revenues and Receipts to the Secretary for the Time being of the said Commissioners, in such Manner and Form as the said Commissioners shall direct or appoint; and all such Mortgages, Charges, Assignments and Securities, shall have Priority over and shall precede all other Securities on such Revenues and Receipts, except such as may have been entered into and may be chargeable thereon at the Date of such Advance; and shall be binding upon the respective Successors of every such Archbishop, Bishop or other Ecclesiastical Person, until the whole of the Monies advanced, with Interest thereon, shall be fully paid and satisfied; any Thing contained in any Act or Acts passed in the Parliament of *Ireland*, or in the Parliament of the United Kingdom of *Great Britain and Ireland*, or any Law, Usage or Custom to the contrary in anywise notwithstanding.

Such Mortgages to have Priority, and to be binding on their Successors.

VI. And be it further enacted, That any and every Loan or Advance which shall be granted and made under this present Act shall be subject to all the Powers, Provisions, Limitations, Regulations and Conditions for the Grant, Security or Recovery of any Loan or Advance contained in and in force under the said recited Act of the Fifty seventh Year of the Reign of His said late Majesty, and the several Acts for altering, amending or extending the same, or any of them, and that the said Commissioners shall have all such Powers and Authorities for the Purpose of recovering or compelling Payment of any Loan or Advance made under the Certificate of the said Commissioners for the Purposes of this Act as are given to the said Commissioners by the said Acts or any of them, in respect of any Loan or Advance in *Great Britain* under the said Acts, or any of them, or in respect of any Default in the Payment of any such Loan or Advance; and that all and every the Clauses and Provisions in the said recited Acts or any of them contained, and in force for the Regulation of the said Commissioners in or relating to the granting of any Loan or Advance in *Great Britain*, and for the Repayment, Recovery and Receipt of any such Loan or Advance when due and payable, and for exempting Mortgages, Assignments and other Instruments and Writings, from being liable to any Stamp Duty, or otherwise howsoever, shall extend and be construed to extend to all Loans and Advances respectively under this Act, and to the Payment and Recovery thereof in *Ireland*, and shall be of like Force and Effect, and shall be applied and put in Execution in *Ireland*, as if the said Clauses and Provisions had, by the said recited Acts, been extended to *Ireland*, and as if such Clauses and Provisions were particularly repeated and re-enacted in the Body of this Act, except only so far as the same are altered by this present Act.

Loans under this Act to be subject to Provisions of former Acts.

Stamp Duty.

VII. And be it further enacted, That this Act may be amended, altered or repealed by any Act or Acts to be passed in this present Session of Parliament.

Act may be altered, &c. this Session.

C A P. XXXI.

An Act to amend an Act passed in the Fifty second Year of the Reign of His late Majesty King *George* the Third, so far as the same relates to the Retired Allowances of Quarter Masters of Cavalry and Infantry. [5th May 1826.]

52 G.3. c.151.

‘ WHEREAS an Act passed in the Fifty second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to extend the Provisions of an Act of the last Session of Parliament, relating to the Half Pay and Allowance of Officers retiring from Service, and to authorize the allowing to Foreign Officers wounded the like Pensions and Allowances as are given to British Officers under the like Circumstances: And Whereas it is expedient that so much of the said Act as relates to the Number of Years’ Service required to entitle Quarter Masters of the Cavalry or Infantry to retire on Full Pay should be amended:’ May it therefore please Your Majesty that it may be enacted; and be it enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for His Majesty to allow any Regimental Quarter Master, serving in His Majesty’s Forces, either in the Cavalry or Infantry, or any Troop Quarter Master of the Life Guards or Royal Horse Guards who shall have served Twenty Years in the Regular Army, Twelve of which as a Quarter Master, and who shall be unfit for further Duty, and who shall produce to the Secretary at War satisfactory Proof of such Service, and of Unfitness for Duty, (by Certificates to be made and given by such Persons, Medical or others, and in such Form and Manner as shall be required by the Secretary at War in that behalf,) to retire under the Provisions of the recited Act of the Fifty second Year aforesaid, and to receive the Full Pay of the Commission which he shall have held at the Time of his being so allowed to retire as aforesaid; any Thing in the said recited Act or any other Act or Acts to the contrary notwithstanding.*

In what Case
Quarter Mas-
ters may retire
with Full Pay.

C A P. XXXII.

An Act to amend an Act for suppressing or regulating certain Offices therein mentioned, so far as relates to the Board of Trade. [5th May 1826.]

22 G.3. c.82.

‘ WHEREAS an Act passed in the Twenty second Year of the Reign of His late Majesty, intituled *An Act for enabling His Majesty to discharge the Debt contracted upon His Civil List Revenues, and for preventing the same from being in arrear for the future, by regulating the Mode of Payments out of the said Revenues, and by suppressing or regulating certain Offices therein mentioned, which are now paid out of the Revenues of the Civil List: And Whereas it is expedient to make Provision for enabling His Majesty to grant a competent Salary to the Person holding the Office of President of the Committee of Council appointed for the Consideration of Matters relating to Trade*

' Trade and Foreign Plantations, in Consideration of the Duties and Responsibility attached to the said Office; ' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for His Majesty, by any Order or Warrant under His Royal Sign Manual, countersigned by the Lord High Treasurer, or by the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, or any Three or more of them for the Time being, to order and direct that the President of the Committee of Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations for the Time being shall have a Salary not exceeding Two thousand Pounds, to be paid and payable out of the Fee Fund of the Council Office; and such Office shall not, by reason of such Salary being annexed thereto, be deemed a new Office: Provided always, that no such Order or Warrant, or Receipt of Salary under the same by the Person holding such Office at the Time of passing this Act, shall make void the Election of any such Person; nor shall any new Writ issue for a new Election in consequence of any such Order or Warrant, or Receipt of Salary under the same; any Thing in any Act or Acts to the contrary notwithstanding.

His Majesty may direct a Salary herein mentioned to be paid to the President of the Committee of Council for Trade.
Proviso.

C A P. XXXIII.

An Act to make further Regulations relating to the Licensing of Stage Coaches. [5th May 1826.]

' **W**HEREAS it is expedient to repeal certain Parts of an Act 25 G.3. c.51.
' passed in the Twenty fifth Year of the Reign of His late
' Majesty King George the Third, intituled *An Act for repealing*
' *the Duties on Licences taken out by Persons letting Horses for*
' *the Purposes of travelling Post, and on Horses let to hire for*
' *travelling Post and by Time, and on Stage Coaches, and for grant-*
' *ing other Duties in lieu thereof; and also additional Duties on*
' *Horses let to hire for travelling Post and by Time; and also to*
' *limit the Number of Passengers allowed to be carried for Hire*
' *in any Carriage or Vehicle drawn by One Horse, and to make*
' *further Provision respecting the Plates directed to be placed*
' *upon Carriages or Vehicles used for the Purpose of conveying*
' *Passengers for Hire, and to provide for the better Protection*
' *and Recovery of the Duties payable in respect of such Car-*
' *riages or Vehicles: ' Be it therefore enacted by the King's most*
' *Excellent Majesty, by and with the Advice and Consent of the*
' *Lords Spiritual and Temporal, and Commons, in this present Par-*
' *liament assembled, and by the Authority of the same, That from*
' *and after the passing of this Act so much of the said recited Act*
' *as enacts that all and every Person or Persons licensed to let out*
' *for Hire any Coach, Diligence or other Carriage, shall give Se-*
' *curity by Bond to His Majesty, His Heirs and Successors, in the*
' *Sum of Twenty Pounds, or in Treble the Sum to which the*
' *Journies inserted in such Licences for One Month would amount*
' *unto; and also so much of the said Act as enacts that no Person*
' *or Persons licensed as thereby directed, shall, by virtue of One*
' *Licence,*

in Part re-
pealed.

Licence, keep more than One Coach, Diligence or other Carriage, shall be and the same is hereby repealed.

Number of
Passengers to
be carried for
Hire in Vehi-
cles drawn by
One Horse.

II. And be it further enacted, That from and after the passing of this Act it shall not be lawful for any Person or Persons licensed to keep, use, employ and let out any Carriage or Vehicle for the Purpose of conveying Passengers for Hire at separate Fares, having Four Wheels, and to be drawn by One Horse or Mule only, to carry or convey therein or thereby more than Six Passengers, or having Two Wheels, and to be drawn by One Horse or Mule only, to carry or convey therein or thereby more than Four Passengers.

Mode of pro-
ceeding on
giving up or
altering
Licences.

III. And be it further enacted, That when any Person or Persons to whom any Licence to keep, use, employ and let out any Carriage or Vehicle for the Purpose of conveying Passengers for Hire shall have been granted, shall, at the Time of paying his, her or their Monthly Account of Duties, be desirous of giving up such Licence, or of altering or varying the Journey or Number of Journies mentioned in the First Licence, or the Mode of performing such Journey or Journies, he, she or they may give Notice in Writing to that Effect at the Office or Place at which his, her or their Licence was granted, or to the Person authorized to receive such Duties, the Terms of which Notice shall be indorsed upon the Back of such his, her or their Licence; and when such Licence shall be given up, and the Plate or Plates mentioned in such Licence redelivered to the Commissioners of Stamps, or to any Person authorized to receive the same, and the Use, Employment or Letting out for Hire of such Carriage or Vehicle as aforesaid be discontinued, such Person or Persons shall not be charged or chargeable with the Duties payable in respect of such Carriage or Vehicle subsequently to the Expiration of such Notice; and when the Number of Journies mentioned in such Licence, or indorsed thereupon, shall have been altered or varied, such Person or Persons shall, at the Expiration of such Notice, be charged and chargeable with the Duties payable in respect of the Journies thereafter to be performed by such Carriage or Vehicle: Provided always, that no Licence shall cease under or by virtue of any Notice to be given at a less Period than One Month after the first using, employing or letting out to hire any Carriage or Vehicle under the said Licence, but that Duty in respect of such Carriage or Vehicle shall at least be paid for One Month after the first using, employing or letting out to hire the same, according to the Number of Miles, as expressed in the said Licence, to be travelled by such Coach or Vehicle in the Course of any One Week of the said Month, in the same Manner as if the said Carriage or Vehicle had been used, employed and let out to hire for the whole Period of One Month; and the Amount of Duties for that Month shall, if necessary, be claimed and described as a Debt due to His Majesty, His Heirs and Successors, and shall and may be sued for and recovered accordingly.

What Duty to
be paid on
Licence.

Plates to be
furnished
gratis.

IV. And be it further enacted, That from and after the passing of this Act the Commissioners of Stamps are hereby directed and required to deliver, *gratis*, to the Person or Persons taking out a Licence for the First Time the Plate or Plates required by an Act passed in the Third Year of the Reign of His present

Majesty,

Majesty, intituled *An Act to reduce the Rate of Duties payable in respect of certain Carriages used and employed for the Purpose of conveying Passengers for Hire, and to make Regulations and Provisions relating to Stage Coaches, and the Duties thereon*, to be placed upon the Coach or Vehicle mentioned in such Licence; and also to deliver *gratis* to the Person or Persons taking out any fresh Licence, upon the Alteration of the Name or Names of the Person or Persons mentioned in the former Licence, or of the Description of the Journey or Journies to be performed by the Coach or Vehicle therein mentioned, or upon the Alteration of the Number of such Plate or Plates, by reason of the former Number having become illegible, or of One or both Plates having been broken or lost, or upon any other Occasion which may require a new Plate or Plates. 3 G.4. c. 95.
§ 3.

V. And be it further enacted, That from and after the passing of this Act it shall not be lawful for any Person or Persons licensed to keep, use, employ or let out any Carriage or Vehicle for the Purpose of conveying Passengers for Hire as aforesaid, to use more than One Plate or One Pair of Plates by virtue of One Licence, but that for every Plate or Pair of Plates there shall be a separate and distinct Licence. Separate Licence for every Plate or Pair of Plates.

VI. And be it further enacted, That from and after the Thirty first Day of *July* next after the passing of this Act, the Plate or Plates required by the said Act of the Third Year of His present Majesty to be fixed and placed upon the Door or Doors of any Carriage or Vehicle, shall be placed on the Centre of the Pannel or Pannels of such Door or Doors, or upon each of the Fore Quarters of such Carriage or Vehicle, at the Lower Angle of such Fore Quarter, adjoining such Doors respectively; or if there be no Door to such Carriage or Vehicle, then, if the same shall be drawn by Two or more Horses, upon One of the Pannels of each Side of such Carriage or Vehicle, or if the Carriage or Vehicle shall be drawn by One Horse only, then upon the Centre of the Hind Part or Pannel of such Carriage or Vehicle, or if there be no Door to such Carriage or Vehicle, then upon some conspicuous Part of such Carriage or Vehicle; or if the said Commissioners of Stamps, or any Person authorized by them to collect the Stage Coach Duties, or any of their Inspectors or other Officers, shall be dissatisfied with the Position of the Plate or Plates, and shall direct the same to be placed on some other conspicuous Part of such Carriage or Vehicle, then such Plate or Plates shall be fixed and placed upon such Part of such Carriage or Vehicle, according to such Direction. Where Plates to be fixed.

VII. And be it further enacted, That when any of the Numbers marked on any Plate or Plates shall, in the Opinion of the said Commissioners of Stamps, or of any Person authorized by them to receive the Stage Coach Duties, or of any of their Inspectors or Officers, have become illegible, it shall be lawful for the said Commissioners or other Person authorized as aforesaid, or any Inspector or Officer as aforesaid, and they are hereby required, to give Notice to the Person or Persons to whom the Licence relating to the said Plate or Plates shall have been granted, that the Number upon such Plate or Plates is illegible, and the Person or Persons to whom such Licence shall have been granted is and Commissioners or other Officers may require illegible Plates to be given up for new ones.

Notice to licensed Person.

are hereby required, within Three Days after such Notice shall have been given, to deliver up to the said Commissioners of Stamps, or to the proper Officer duly authorized to grant Licences, such illegible Plate or Plates, and apply for a fresh Licence, and a new Plate or new Plates.

Duties to be payable according to Licences.

VIII. And be it further enacted, That in all Actions, Bills, Complaints, Informations or Proceedings to be commenced, prosecuted, entered or filed in any of His Majesty's Courts of *Great Britain*, or before any Justice of the Peace or other Magistrate whatsoever, in *Great Britain*, against any Person or Persons, for the Recovery of any Duty payable in respect of any Carriage or Vehicle kept, used, employed and let out for the Purpose of conveying Passengers for Hire, the Amount of Duty, calculated according to the Journey or Number of Journeys mentioned in the Licence or Licences relating to such Carriage or Vehicle, shall be deemed and taken to be the Amount of Duty due and payable in respect of such Carriage or Vehicle, unless such Person or Persons shall show that the Amount of the said Duty, or some Part thereof, hath not become due and payable.

Proviso.

Forging or using forged Plates.

IX. And be it further enacted, That if any Person shall forge, counterfeit or resemble, or cause or procure to be forged, counterfeited or resembled, any Plate or any Part of any Plate, which shall have been provided or used in pursuance of this Act or any other Act, or shall wilfully fix or place, or cause, permit or suffer to be fixed or placed, to or upon the Door, or one of the Doors, or upon any other Part of any Carriage or Vehicle kept, used, employed or let out for the Purpose of conveying Passengers for Hire, any forged or counterfeited Plate, or Part of any Plate, every such Person shall for every such Offence forfeit the Sum of One hundred Pounds.

Penalty.

Using Carriages with Plates not fixed, or not giving up illegible Plates.

X. And be it further enacted, That if any Person or Persons to whom any Licence to keep, use, employ, and let out any Carriage or Vehicle for the Purpose of conveying Passengers for Hire shall be granted, shall, before using, employing or letting out for Hire any such Carriage or Vehicle, neglect to fix or place, or to cause to be fixed or placed, upon the said Carriage or Vehicle, in Manner herein directed, the Plate or Plates directed to be fixed and placed thereon; or if such Person or Persons, after having received Notice in Manner hereinbefore mentioned, that the Numbers on the Plate or Plates are illegible, shall not, within Three Days after such Notice shall have been given, deliver up such illegible Plate or Plates, and apply for a fresh Licence and a new Plate or Plates, as hereinbefore directed, and fix or place the same upon the Carriage or Vehicle in Manner herein directed, every such Person or Persons so offending shall for every such Offence forfeit and pay the Sum of Twenty Pounds.

Penalty.

Carrying more than the prescribed Number of Passengers.

XI. And be it further enacted, That if any Person or Persons licensed to keep, use, employ and let out for Hire as aforesaid, any Carriage or Vehicle having Four Wheels and drawn by One Horse or Mule, only, shall carry or convey therein or thereby more than Six Passengers, or if any Person or Persons licensed to keep, use, employ and let out for Hire any Carriage or Vehicle having Two Wheels and drawn by One Horse or Mule only, shall carry or convey therein or thereby more than Four Passengers,

every

every such Person so offending shall for every such Offence for-
feit and pay the Sum of Twenty Pounds. Penalty.

XII. And be it further enacted, That if any Person or Persons to whom any Licence to keep, use, employ and let out any Carriage or Vehicle for the Purpose of conveying Passengers for Hire, shall, from and after the passing of this Act, permit or suffer such Carriage or Vehicle to perform a greater Number of Journeys than is allowed by such Licence, or to be used for the performing any different Journey or Journeys, or a greater Number of Miles than is or are mentioned in such Licence, or shall fix or place upon such Carriage or Vehicle a Plate or Plates, having a Number different from that mentioned in the Licence in force at the Time of using such Carriage or Vehicle, such Person or Persons shall be deemed and taken to be a Person or Persons keeping, using, employing and letting out a Carriage or Vehicle for the Purpose of conveying Passengers for Hire, without having first duly obtained a Licence within the true Intent and Meaning of the said recited Act of the Twenty fifth Year of His late Majesty.

Persons using Carriages contrary to Licence, to be deemed to be using them without a Licence.

XIII. And be it further enacted, That if any Person or Persons duly licensed to use, employ and let out any Carriage or Vehicle for the Purpose of conveying Passengers for Hire as aforesaid, shall, in any Account to be delivered by him, her or them to the said Commissioners of Stamps, or such Officer as they shall appoint in that behalf, under or by virtue of the said Act of the Twenty fifth Year of His late Majesty, of the Number of Journeys actually made in a Day by such Carriage or Vehicle, where the same shall differ from the Number expressed in the Licence, shall neglect or omit to insert therein any Journey actually made by such Carriage or Vehicle, every such Person or Persons shall, for every such Journey so omitted, forfeit and pay the Sum of Five Pounds.

Omitting to state any Journey in Account delivered under 25 G.S. c. 51.

Penalty.

XIV. And be it further enacted, That if any Driver or other Person having the Care of any Carriage or Vehicle kept, used or employed for the Purpose of conveying Passengers for Hire as aforesaid, shall suffer the Plate or Plates fixed and placed thereon as hereby directed, to be concealed from public View by any Coat, Cloak, Cloth or other Thing placed over it, such Driver or other Person having the Care of such Carriage or Vehicle shall forfeit and pay the Sum of Five Pounds; and in case such Driver or other Person having the Care of such Carriage or other Vehicle shall not be known, or being known cannot be found, then and in every such Case the Owner or Owners, Proprietor or Proprietors of such Carriage or Vehicle, shall be liable to such last mentioned Fine or Penalty, in the same Manner as if he or they had been driving or taking care of such Carriage or Vehicle at the Time that such Offence was committed.

Drivers concealing Plates.

Penalty.
In certain Cases, Owners liable to Penalty.

XV. And be it further enacted, That from and after the passing of this Act, if any Person or Persons liable to account for and pay any Duty or Duties granted by any Act or Acts, for or in respect of any Carriage or Vehicle kept, used, or employed for the Purpose of conveying Passengers for Hire as aforesaid, shall refuse or neglect to account for and pay the same according to the Directions of the said Acts, to the Officer appointed by the said Commissioners of Stamps to receive such Duties, where such Duty

Proceedings for Recovery of Duties where not exceeding 50l.

or Duties shall not exceed the Sum of Fifty Pounds, it shall be lawful for any Constable, Tithingman, or other Peace Officer of the County, Riding, Division, City, Town or Place where such Carriage shall be kept, used or employed for the Purpose of conveying Passengers for Hire as aforesaid, first obtaining a Warrant for that Purpose under the Hand and Seal or Hands and Seals of any One or more of His Majesty's Justices acting in and for such County, Riding, Division, City, Town or Place, (which Justice or Justices, on Complaint made to him or them, shall summon the Party complained of, and the Witnesses on either Side, and examine into the Matter of Fact, and shall grant such Warrant on due Proof being made of the Sum due and owing for such Duty or Duties as aforesaid, by the voluntary Confession, of the Party, or by the Oath of One or more Witness or Witnesses,) to distrain such Person or Persons by his, her or their Goods and Chattels for the Amount of such Duty or Duties, and the Distress so to be taken to detain and keep for the Space of Five Days, at the Costs and Charges of such Person or Persons; and if he, she or they shall not within that Time pay the Amount of such Duty or Duties, with the Costs and Charges of taking and keeping such Distress, then the Goods and Chattels so distrained shall be sold by such Constable, Tithingman or other Peace Officer, who shall render the Overplus (if any) of the Money arising by the Sale thereof, after deducting and retaining the Amount of such Duty or Duties, and the Costs and Charges of taking, keeping and selling such Distress, to the Person or Persons so to be distrained as aforesaid; and for the Purpose of taking such Distress, it shall be lawful for such Constable, Tithingman or other Peace Officer, when any Refusal or Resistance shall be made, to break open in the Day Time any House or Place where any Goods or Chattels of such Persons or Person shall be; and if no sufficient Distress can be had or taken whereon to levy the said Duties and Charges, then such Justice or Justices shall commit such Person or Persons to the Prison of such County, Riding, Division, City, Town or Place, there to remain until such Duties shall be fully paid and satisfied.

Distress.

Imprisonment
where no suf-
ficient Distress.

How Penalties
amounting to
10*l*. may be
sued for.

XVI. And be it further enacted, That any pecuniary Penalty imposed by this Act or the hereinbefore mentioned Acts, or either of them, which shall amount to the Sum of Ten Pounds or more, shall or may be sued for in any of His Majesty's Courts at *Westminster*, for any Offence committed in *England or Wales, or Berwick-upon-Tweed*, and in His Majesty's Court of Exchequer in *Scotland*, for any Offence committed in that Part of *Great Britain* called *Scotland*, by Action of Debt, Bill, Plaint or Information, wherein no *Essoign*, Protection, Privilege, Wager of Law, or more than One *Impar lance* shall be allowed.

Plying for
Hire with Car-
riages not
having Plates.

XVII. And be it further enacted, That if any Carriage or Vehicle shall be found standing or plying for Passengers to be conveyed for Hire at separate Fares as aforesaid, upon any public Highway, not having fixed or placed thereon a Plate or Plates as directed by this or any other Act to be fixed or placed upon Carriages or Vehicles kept, used, employed and let out for the Purpose of conveying Passengers for Hire, the Owner, Driver or Person having the Care of any such Carriage or other Vehicle shall forfeit
and

and pay any Sum not exceeding Twenty Pounds; and it shall and may be lawful to and for any Constable or Constables, or other Person or Persons whomsoever, to take and seize such Carriage or other Vehicle not having such Plate or Plates, with the Horses or other Cattle drawing the same, and lodge the same for safe Custody at some public Green Yard, or some Livery Stables, or other Place of Safety, until some One or more of His Majesty's Justices of the Peace for the County, Riding, Division, City, Town or Place in which such Offence shall be committed, shall hear and determine the same; and the Penalty or Penalties to which the Owner, Driver or other Person having the Care of such Carriage or other Vehicle shall be liable and adjudged to pay for such Offence, with the Expences of taking and keeping such Carriage and Cattle at such Green Yard, Stables or other Place, shall be fully paid or discharged; and if such Penalty or Penalties be not forthwith paid, the said Carriage or Vehicle, Horses or other Cattle, together with the Harness used therewith, so taken and seized, shall be immediately sold by Order under the Hand or Hands of the said Justice or Justices, and the Surplus, if any, shall be rendered to such Owner, Driver or other Person; any Thing in this Act to the contrary thereof in anywise notwithstanding.

Penalty.
Seizure of
Carriage, &c.

Expences by
whom to be
paid.

XVIII. Provided always, and it is hereby enacted, That it shall and may be lawful to and for any Justice of the Peace of any County, Riding, Division, City, Town or Place where the Offence shall be committed, to hear and determine any Offence against this Act or the hereinbefore mentioned Acts, or any of them, which subjects the Offender to any pecuniary Penalty not exceeding Twenty Pounds, which said Justice of the Peace is hereby authorized and required, upon any Information exhibited; or Complaint made in that behalf, to summon the Party accused, and also the Witnesses on either Side, and to examine into the Matter of Fact, and upon due Proof made thereof, by voluntary Confession of the Party, or by Oath of One or more credible Witnesses or Witnesses, to give Judgment or Sentence for the Penalty or Forfeiture, and to award and issue out his Warrant under his Hand and Seal for the levying any pecuniary Penalties or Forfeitures so adjudged on the Goods of the Offender, and to cause Sale to be made thereof in case they shall not be redeemed within Five Days, rendering to the Party the Overplus (if any); and where the Goods of such Offender cannot be found sufficient to answer the Penalty, to commit such Offender to Prison, there to remain for the Space of Six Months, unless such pecuniary Penalty shall be sooner paid and satisfied; and if any Person or Persons shall find himself or themselves aggrieved by the Judgment of any such Justice, then he, she or they shall and may (upon giving Security to the Amount of the Value of such Penalty and Forfeiture, together with such Costs as shall be awarded in case such Judgment shall be affirmed,) appeal to the Justices of the Peace at the next General Quarter Sessions of the Peace for the County, Riding, Division, City, Town or Place, who are hereby empowered to summon and examine Witnesses upon Oath, and finally to hear and determine the same; and in case the Judgment of such Justices shall be affirmed, it shall be lawful for such Justices to award the Person or Persons to pay Costs occasioned

Justices may
determine
Offences where
Penalty does
not exceed 20*l*.
Proceedings.

Appeal.

Final.
Costs.

alleged [*here setting forth the Substance of the Defence*], or voluntarily confessed the said Charge to be true, or did not make any Defence against the said Charge, whereupon the same was fully proved on the Oath of *G. H.* a credible Witness, or said that he [*or she*] was not guilty of the said Offence, whereupon the same was fully proved on the Oath of *G. H.* a credible Witness [*or as the Case shall be*], or did not appear before me pursuant to the said Summons, but the said Charge was fully proved on the Oath of *G. H.* a credible Witness [*or as the Case shall be*]; and therefore it manifestly appearing to me that the said *E. F.* is guilty of the Offence charged in the said Information, I do hereby convict him [*or her*] of the said Offence, and do adjudge that he or she hath forfeited the Sum of

of lawful Money of *Great Britain* for the Offence aforesaid, to be distributed as the Law directs, according to the Form of the Statute in such Case made and provided. Given under my Hand and Seal the Day of

Mitigation of Penalties.

Provided nevertheless, that it shall and may be lawful for the said Justice or Justices, when he or they shall see Cause, to mitigate and lessen any such Penalty or Penalties as he shall think fit or reasonable, (Costs and Charges of the Officers and Informers, as well in making the Discovery as in prosecuting the same, being always allowed over and above such Mitigation,) and so as such Mitigation do not reduce such Penalties to less than One Fourth Part of the Penalty or Penalties incurred over and above the said Costs and Charges; any Thing herein contained to the contrary notwithstanding.

XXII. And be it further enacted, That it shall be lawful for any Person or Persons whatsoever to lay, make and prosecute any Information before any Justice or Justices of the Peace against any Person or Persons for the Recovery of any Fine, Penalty or Forfeiture made or incurred by virtue of this or any other Act or Acts of Parliament relating to Carriages or Vehicles kept, used or employed to convey Passengers for Hire as aforesaid, any Thing in any Law or Laws to the contrary thereof in anywise notwithstanding; and that all such pecuniary Penalties shall be divided and distributed, if a Prosecution or Suit shall be commenced for the same within the Space of Six Calendar Months from the Time of any such Penalty being incurred, in Manner following; (that is to say,) One Moiety thereof to His Majesty, His Heirs and Successors, and the other Moiety thereof (with full Costs of Suit) to the Person or Persons who shall inform and sue for the same; and in Default of such Prosecution within Six Calendar Months from the Time of any such Penalty being incurred, then the Whole thereof shall belong to His Majesty, His Heirs or Successors; and such Moieties and Penalties shall be paid into the Hands of His Majesty's Solicitor of Stamps for the Time being.

By whom Informations may be laid.

Application of Penalties.

XXIII. And be it further enacted, That every Justice before whom any Person or Persons shall be convicted of any Offence under or by virtue of this Act or the hereinbefore recited Acts, or either of them, shall take and receive the Penalty or Penalties, or Share of the Penalty or Penalties belonging to His Majesty, levied or paid under or by virtue of such Conviction; and that

How Penalties belonging to His Majesty to be received and disposed of.

that every such Justice, his Executors or Administrators, shall pay or cause to be paid all such Sums which he shall take or receive upon any Conviction under or by virtue of this Act, or the Acts hereinbefore mentioned, or either of them as aforesaid, at the next General Quarter Sessions of the Peace after he shall have so taken or received the same, into the Hands of the Clerk of the Peace, or other such like Officer of the County, Riding, Division, City, Town or Place within which such Conviction shall have been made, who is hereby directed to remit the same forthwith, without Fee or Reward, to the Solicitor of Stamps for the Time being; and that every Justice, his Executors or Administrators, shall immediately on such Payment made to any Clerk of the Peace or other such Officer, transmit to the said Solicitor of Stamps a Schedule, containing the Names of the Persons so convicted, the Day on which they were convicted, their respective Offences, and the respective Sums which were levied or paid under or by virtue of such Conviction.

Justices to transmit to Solicitor of Stamps a Schedule of Convictions, &c.

C A P. XXXIV.

An Act to amend an Act of the Fifth Year of His present Majesty, for amending the several Acts for the Encouragement and Improvement of the *British and Irish Fisheries*.

[5th May 1826.]

5 G.4. c.64.

§ 6.

43 G.3. c.69.

‘ WHEREAS by an Act passed in the Fifth Year of His present Majesty’s Reign, intituled *An Act to amend the several Acts for the Encouragement and Improvement of the British and Irish Fisheries*, it is among other Things enacted, that from and after the Fifth Day of July One thousand eight hundred and twenty five, the several permanent Bounties granted, allowed and made payable on Salmon, full Red Herrings, clean Shotten Red Herrings, and Red Sprats, by an Act passed in the Forty third Year of the Reign of his late Majesty King George the Third, intituled *An Act to repeal the Duties of Excise payable in Great Britain, and to grant other Duties in lieu thereof*, and by the Schedule marked (C) thereto annexed, shall cease and determine : And Whereas it is expedient to continue Part of the said Bounties for the Terms and Periods hereinafter specified : May it therefore please your Majesty that it may be enacted, and be it enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, the several and respective Bounties hereafter mentioned shall be allowed ; that is to say,

Bounties continued for the Periods herein mentioned :

On Salmon :

For every Barrel of Salmon, containing Forty two Gallons, which shall have been or shall be exported from *Great Britain* to Foreign Parts at any Time in the Year ending on the Fifth Day of July One thousand eight hundred and twenty six, a Bounty of Four Shillings and Sixpence ; and in the Year ending on the Fifth Day of July One thousand eight hundred and twenty seven, a Bounty of Three Shillings and Sixpence ; and in the Year ending on the Fifth Day of July One thousand eight hundred and twenty eight, a Bounty of Two Shillings and Sixpence

pence; and from and after the Fifth Day of *July* One thousand eight hundred and twenty eight, until the Fifth Day of *April* One thousand eight hundred and thirty, a Bounty of one Shilling and Sixpence:

For every Barrel of full Red Herrings, containing Thirty two Gallons, which shall have been or shall be so exported in the Year ending on the Fifth Day of *July* One thousand eight hundred and twenty six, a Bounty of One Shilling and Nine Pence; and in the Year ending on the Fifth Day of *July* One thousand eight hundred and twenty seven, a Bounty of One Shilling and Sixpence; and from and after the Fifth Day of *July* One thousand eight hundred and twenty seven, until the Fifth Day of *April* One thousand eight hundred and thirty, a Bounty of One Shilling:

Full Red Herrings:

For every Barrel of clean Shotten Red Herrings, containing Thirty two Gallons, which shall have been or shall be so exported in the Year ending on the Fifth Day of *July* One thousand eight hundred and twenty six, a Bounty of One Shilling; and from and after the Fifth Day of *July* One thousand eight hundred and twenty six, until the Fifth Day of *April* One thousand eight hundred and thirty, a Bounty of Sixpence:

Shotten Red Herrings:

For every Last consisting of Ten thousand dried Red Sprats, which shall have been or shall be so exported in the Year ending on the Fifth Day of *July* One thousand eight hundred and twenty six, a Bounty of One Shilling; and from and after the Fifth Day of *July* One thousand eight hundred and twenty six, until the Fifth Day of *April* One thousand eight hundred and thirty, a Bounty of Sixpence:

Red Sprats.

And all the said Bounties respectively shall cease and determine on the Fifth Day of *April* One thousand eight hundred and thirty.

II. And be it further enacted, That the several Bounties, and every of them, which in and by the said recited Act of the Fifth Year of His present Majesty's Reign are made payable until the Fifth Day of *July* One thousand eight hundred and twenty nine, or in the Year ending on the Fifth Day of *July* One thousand eight hundred and twenty nine, and which, according to the said recited Act, would wholly cease and determine on the said Fifth Day of *July* One thousand eight hundred and twenty nine, shall be and the same are hereby continued until the Fifth Day of *April* One thousand eight hundred and thirty, and shall wholly cease and determine on the said Fifth Day of *April* One thousand eight hundred and thirty, and not sooner; any Thing in the said recited Act to the contrary in anywise notwithstanding.

Bounties payable under 5 G.4. c. 64. until the 5th July, 1829, continued until the 5th April, 1830.

III. And be it further enacted, That the Bounties by this Act granted, continued and made payable, shall be paid in such Manner and under such Directions, and subject to such Rules, Regulations and Restrictions, in all respects, as the Bounties payable immediately before the passing of this Act were paid and payable under any Act or Acts in force immediately before the End of the last Session of Parliament.

Bounties granted and continued by this Act to be paid as other Bounties.

IV. And be it further enacted, That all the Clauses, Provisions, Regulations, Matters and Things contained in, and all Powers and Authorities given by an Act made in the Fifty ninth Year of the

59 G.3. c. 100. Reign

1 G. 4. c. 82.
and 1 G. 4.
c. 103.

Continued.

59 G.S. c. 109.
§ 14.

Using Trammel Nets on the Coast of Ireland without Licence of Commissioners of the Irish Fisheries, and under such Regulations as they shall direct.

Reign of His late Majesty King *George the Third*, intituled *An Act for the Encouragement and Improvement of the Irish Fisheries*, and in and by an Act made in the First Year of the Reign of His present Majesty, for amending the said recited Act of the Fifty ninth Year of His said late Majesty's Reign; and in and by another Act made in the said First Year of His present Majesty's Reign, intituled *An Act for the further Encouragement and Improvement of the British Fisheries*, so far as the said Acts, or either of them, or any Part thereof, are not or is not expressly altered or repealed by the said hereinbefore recited Act of the last Session of Parliament, or by this Act or any other Act or Acts, shall be and the same are hereby revived and continued, and shall be and remain in full Force and Effect from the End of the last Session of Parliament until and upon the said Fifth Day of *April* One thousand eight hundred and thirty.

‘ V. And Whereas by the said Act, passed in the Fifty ninth Year of the Reign of His late Majesty King *George the Third*, for the further Encouragement and Improvement of the *Irish Fisheries*, it is among other Things enacted, That no Drag Net or other Sea Net which hath a Mesh of less than Three Inches and a Half from Knot to Knot, shall be made use of in catching any kind of Fish (except Herrings, Pilchards, Sprats, Shrimps and Prawns, and small Shell Fish for Bait) upon any Parts of the Coast of *Ireland*, or within any of the Bays, Harbours, Rivers or Creeks thereof, upon Penalty of the Forfeiture of such Nets, and of a Sum not less than Forty Shillings, nor exceeding Ten Pounds: And Whereas certain Nets called Trammel Nets, with Meshes of less than Three Inches and a Half from Knot to Knot, have been used upon certain Parts of the Coast of *Ireland*, and in some of the Bays, Harbours, Rivers, and Creeks thereof, and it is expedient that the Use of such Trammel Nets should be restrained and regulated; Be it therefore enacted, That from and after the passing of this Act, no Trammel Nets shall be made use of on any Part of the Coast of *Ireland*, or within any of the Bays, Harbours, Rivers or Creeks thereof, without the Licence and Consent of the Commissioners of the *Irish Fisheries*; and that the Licence and Consent of such Commissioners may be granted for the using of such Nets at such Places, or within such Districts or Limits, in such Manner, and on such Conditions, and under such general or local or particular Regulations, as well with respect to the Size and Shape of the said Nets, as to the Places in which the same be used, as the said Commissioners shall think fit to order and direct; and that a Copy of such Regulations, applying either generally to all Coasts and Places, or locally to any particular Coast, Bay, Harbour, River or Creek, and signed by the Secretary to such Commissioners, shall be transmitted to the proper Inspector or Officer of the Fishery on the Coast, or at the Bays, Harbours, Rivers or Creeks to which such Regulations shall generally or specially relate; and that such Inspector or other Officer of the Fisheries shall publish such Orders and Regulations, by posting and distributing Copies of the same in such Manner as such Commissioners shall direct; and that if any Person or Persons shall make use of any Trammel Net without the Licence and Consent of the said Commissioners of the Fishery, or in any Manner act
contrary

contrary to the Conditions, Rules, and Regulations to be made by the said Commissioners with respect to the same, and signified as aforesaid, every Person so offending, and being thereof convicted, shall for every such Offence forfeit and lose such Net or Nets, and shall also forfeit a Sum not less than Forty Shillings, nor exceeding Ten Pounds, to be recovered and applied in like Manner as is directed by the said recited Act with respect to Forfeitures for the using of any Net or Nets contrary to the Directions of the said recited Act, Penalty.

C A P. XXXV.

An Act to enable incapacitated Persons to convey to the Commissioners and Governors of the Royal Hospital for Seamen at *Greenwich*, in the County of *Kent*, certain Premises situate in the Parish of *Greenwich* in the said County, and for other Purposes relating thereto. [5th May 1826.]

WHEREAS the Commissioners and Governors of the Royal Hospital for Seamen at *Greenwich* in the County of *Kent* have occasion for certain Messuages or Tenements and Land in the Vicinity of the Royal Hospital, for the Purpose of improving the Approaches thereto, and for the Benefit and Advantage of the said Royal Hospital; and it may be found that, by reason of the Minority or other Disability of some of the Parties interested, good and effectual Conveyances cannot be made thereof without the Aid and Authority of Parliament; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That with respect to all Purchases already made, or contracted to be made, by the said Commissioners and Governors of the Royal Hospital for Seamen at *Greenwich* in the County of *Kent*, or which they may be desirous of making hereafter, of Messuages, Lands or Tenements situate and being in the Parish of *Greenwich* in the County of *Kent*, either for the Benefit of the said Royal Hospital, or the Improvement of the Approaches to the same, or for the Improvement of the Neighbourhood thereof, that it shall and may be lawful to and for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or in Fee Tail, general or special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and all other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts respectively, whether Infants or Issue unborn, Lunatics, Idiots or Femes Covert, or other Person or Persons under any Disability of acting for himself, herself or themselves, and also to and for all Femes Covert who are or shall be seised, possessed of or interested in their own Right, and to and for all and every Person and Persons whomsoever, who are or shall be seised, possessed of or interested in any Messuages, Lands, Tenements or Hereditaments, or any Part thereof, situate in the Parish of *Greenwich* in the County of *Kent*, which already have been or which shall

Bodies Politic, &c. and incapacitated Persons may contract and agree with the Commissioners of *Greenwich* Hospital for the Sale of Lands, &c.

shall hereafter be thought fit or expedient to be purchased by the said Commissioners and Governors, to contract and agree with the said Commissioners and Governors for the absolute Sale of the said Messuages or Tenements, Land or Hereditaments, to them, and also to convey, by Indenture of Bargain and Sale, any Messuages, Lands, Tenements or Hereditaments already contracted and agreed to be purchased, or which shall hereafter be contracted or agreed to be purchased, and the Inheritance thereof in Fee Simple, unto and to the Use of the said Commissioners and Governors, their Successors and Assigns; and which said Bargains and Sale shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, and without Inrolment, be good, valid and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person or Persons or Bodies conveying, but also to convey all Right, Estate, Interest, Use, Property, Possibility, Claim and Demand whatsoever of their said several Cestuique Trust, whether Infants or Issue unborn, or other Person or Persons under Disability as aforesaid, and of all Persons whomsoever claiming or to claim by, from or under him, her or them, or under any other Persons whomsoever claiming or to claim in Remainder or Reversion expectant on any particular Estate, or by way of Executory Devise or Springing Use, or otherwise howsoever; and the same shall be deemed and considered to bar the Dower and Dowers of any such Feme Covert, and all Estates Tail and other Estates, Possessions, Reversion, Remainder or Expectancy, and the Issue and Issues of any Person or Persons claiming under them, as effectually as Fines or Common Recoveries, or any other Conveyance or Assurance would do if levied or suffered or executed by the proper Parties in due Form of Law, any Law, Statute or Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all Bodies Corporate or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or in Fee Tail, general or special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all and every other Person and Persons, is and are and shall be indemnified for what he, she or they shall do by virtue and in pursuance of this Act.

Application of
Purchase
Money when
amounting to
200*l.* or up-
wards.

II. And be it further enacted, That in all Cases in which there shall be any Money to be paid for any Messuages, Lands, Tenements or Hereditaments contracted for or purchased, which shall belong to any Body Corporate, Collegiate or Ecclesiastical, Tenant for Life or in Tail or for Years, Trustee, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as aforesaid, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* the Commissioners and Governors of the Royal Hospital for Seamen at *Greenwich* in the County of *Kent*; to the Intent that such Money may be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled

entitled to the Rents and Profits of the said Lands, Tenements and Hereditaments, in the Purchase of other Lands, Tenements and Hereditaments, which shall be conveyed and settled to, for and upon such and the like Uses, Trusts, Intents and Purposes, and in the same Manner as the Messuages, Lands, Tenements and Hereditaments which have been or shall be purchased for the Purposes aforesaid stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the mean Time, and until such Purchase shall be made, the said Money shall, by Order of the said Court upon Application made thereto as aforesaid, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the Consolidated or Reduced Bank Annuities shall from time to time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement thereof was then actually made.

III. Provided always, and be it further enacted, That if any Money so to be paid for any Lands, Tenements or Hereditaments to be purchased for the Purposes aforesaid, and belonging to any Body Corporate, Collegiate or Ecclesiastical, Tenant for Life or in Tail or for Years, Trustees, Femes Covert, Infant, Lunatic, or any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in such Case the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments so purchased, taken or used, or of his, her or their Guardian or Guardians, Committee or Committees, in Cases of Infancy, Idiocy or Lunacy, to be signified in Writing under their respective Hands, to be paid into the Bank in the Name and with the Privy of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in Manner hereinbefore directed, or otherwise the same shall be paid, at the like Option, to Two Trustees, to be named by the Person or Persons making such Option, and approved of by the said Commissioners and Governors, such Nomination and Approbation to be signified by Writing under the Hands of the nominating and approving Parties, in order that such Principal Money, and the Dividends to arise therefrom, or the Interest thereof, may be applied in Manner hereinbefore directed, so far as the case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Application
of Purchase
Money when
less than 200*l*.
and exceeding
20*l*.

IV. Provided always, and be it further enacted, That where such Money so contracted and agreed to be paid as last before mentioned shall not exceed the Sum of Twenty Pounds, then and in all such Cases the same shall belong absolutely and be paid to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements or Hereditaments

Application of
Money not ex-
ceeding 20*l*.

so purchased or agreed for, or hereafter to be purchased for the Purposes aforesaid, or in case of Idiocy, Infancy or Lunacy, then to his, her or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Persons in Possession to be deemed entitled.

V. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, in pursuance of this Act, for the Purchase of any Messuages, Lands, Tenements or Hereditaments, or of any Estate, Right or Interest in any Messuages, Lands, Tenements or Hereditaments so purchased or to be purchased as aforesaid, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements or Hereditaments, or to some Estate or Interest therein.

Proviso as to wrongful Possession.

Expences of Purchases to be allowed by Court of Exchequer.

VI. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation entitled to any Messuages, Lands, Tenements or Hereditaments purchased or to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases so agreed for or purchased, or hereafter from time to time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Commissioners and Governors, who shall from time to time pay such Sums of Money for such Purposes as the said Court shall direct: Provided always, that no such Order shall be made if it can be shown by the said Commissioners and Governors, or it shall appear upon the Face of the Agreement for any such Purchase aforesaid, that the Consideration Money for the same was intended to cover and include all contingent and other Expences relating to the said Purchase.

Proviso.

Upon Payment of Purchase Money, Premises vested in Commissioners and Governors

VII. And be it further enacted, That upon the Payment of the Money contracted or to be contracted or agreed to be paid for the Purchase of any Messuages, Lands, Tenements or Hereditaments, or any Estate, Right or Interest as aforesaid, to the Party or Parties, or Person or Persons respectively entitled to receive such

such Monies, or their Agents, or upon Payment thereof into the Bank of *England*, for the Purpose of being disposed of in Manner hereinbefore directed, as the Case may be, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim and Demand, in Law or in Equity, of the Party or Parties, and Person or Persons respectively, to whom or for whose Use or Benefit the same shall be paid, into or out of such Lands, Tenements or Hereditaments, shall vest in the said Commissioners and Governors of the Royal Hospital for Seamen at *Greenwich* in the County of *Kent*, their Successors and Assigns.

of Greenwich Hospital.

VIII. And be it further enacted, That it shall be lawful for the said Commissioners and Governors, and their Successors, from time to time and at all Times hereafter, in such Manner as they shall deem expedient, to grant, demise and lease any Messuages or Tenements, or Sites of Messuages, or other Land or Ground situate in the said Parish of *Greenwich* in the County of *Kent*, belonging to the said Commissioners and Governors, or which shall or may hereafter belong to them, and shall not be necessary to be used or occupied for the Purposes of the said Institution, unto any Person or Persons for any Term or Number of Years not exceeding Twenty one Years for any such Lease, unless the same be a Building or Repairing Lease, and not exceeding Sixty one Years for any such Building or Repairing Lease, to take effect in Possession only, and not in Reversion or by way of future Interest; and so as in all such Leases there be respectively reserved and made payable during the Continuance thereof the best and most improved yearly Rent or Rents respectively which can be reasonably obtained for the same, without taking any Fine, Premium or Foregift for the making thereof; and so as in every such Demise and Lease there shall be contained a Condition of Re-entry for Nonpayment of the said reserved Rent; and so as the respective Lessees duly execute Counterparts of the said respective Leases.

Commissioners empowered to grant Leases.

Terms of such Leases.

IX. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices and others, without being specially pleaded.

Public Act.

C A P. XXXVI.

An Act to regulate the Service of the Process of the several Courts for the Recovery of Small Debts by Civil Bill in *Ireland*.
[5th May 1826.]

WHEREAS it is expedient to make Regulations for the Service of Process issued on Civil Bills under and by virtue of an Act made in the Parliament of *Ireland* in the Thirty sixth Year of the Reign of His late Majesty King *George* the Third; for the better and more convenient Administration of Justice, and for the Recovery of Small Debts in a summary Way at the Sessions of the Peace in the several Counties in *Ireland*, and of the several Acts in force in *Ireland* for the amending of the said Act; Be it therefore enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That at the several Sessions of the Peace

36 G.S. (1.)

Assistant Barristers to ap-

point Officers
to serve Civil
Bill Processes
in the several
Counties.

No other Per-
sons to serve
any such Pro-
cess.

Service by un-
authorised Per-
sons void.

Names and
Places of abode
of Officers
published.

How and by
whom Annual
Salary to Of-
ficers to be
paid.

Officers may
receive Fees as
herein men-
tioned.

Peace in and for the several Counties in *Ireland* which shall be holden in the Month of *October* next after the passing of this Act, each and every of the Assistant Barristers appointed, under the Authority of the said recited Act, (or of any Act for amending the same,) to be Assistants to the Justices at every such Sessions, shall, by Warrant or Warrants under the Hand and Seal of each such Assistant Barrister respectively, nominate and appoint such Number of fit and proper Persons, being Householders, residing in the principal Market Towns within the said Counties, to be Officers for the Service of Civil Bill Processes within such County or Division thereof as shall be specified and set forth in any such Warrant respectively; and it shall be lawful for each and every such Officer so nominated and appointed, and he and they is and are hereby authorized and required, to serve such Process accordingly, within such County or Division thereof as aforesaid; and from and after the Appointment of any such Officers respectively, it shall not be lawful for any Person whomsoever, other than One of such Officers as shall be appointed and authorized under the Authority and according to the Directions of this Act, to serve any such Process; and that any Service or pretended Service of any Process by any Person or Persons not appointed and authorized under this Act, shall be wholly null and void to all Intents and Purposes whatsoever, any Act or Acts of Parliament, or any Law, Usage or Custom to the contrary in anywise notwithstanding.

II. And be it further enacted, That the Names and Places of abode of each and every Officer who shall be appointed by any such Assistant Barrister to serve such Process as aforesaid shall be from time to time published in some One or more public Newspaper or Newspapers circulated in the County, and shall be otherwise promulgated and made known in such Manner and at such Times as to such Assistant Barrister shall seem fitting and expedient.

III. And be it further enacted, That every Officer who shall be appointed by any Assistant Barrister for the serving of Process shall be entitled to and shall receive a Salary of Ten Pounds a Year, to be paid quarterly, upon a Certificate signed by such Assistant Barrister, specifying the Amount of such Payment, and stating that such Officer has duly performed the Duty of his Office to the Satisfaction of the Magistrates and of such Assistant Barrister during the preceding Quarter, or during such Period thereof as such Person shall have so served; and upon the Production of such Certificate to the Collector of Excise for any District within which the Sessions shall be holden, or within which such Officer shall reside, it shall be lawful for such Collector of Excise to pay to such Officer the Amount of the Payment mentioned in such Certificate; and all Monies so paid shall be allowed to the Collector of Excise in his Account, upon Production of such Certificate, indorsed by the Officer to whom such Money shall be payable.

IV. And be it further enacted, That it shall be lawful for any Officer who shall be appointed by such Assistant Barrister for the serving of Process, in addition to the Salary made payable under this Act, to receive a Fee of Sixpence for the Service of every Process which he shall be required to serve; and which said

Sum

Sum of Sixpence shall be paid to such Officer on the Delivery of such Process to him for the Purpose of being served by him.

V. And be it further enacted, That each and every Officer who shall be appointed under the Authority of this Act for the Service of Process shall be removable, and shall and may be removed, at the Will and Pleasure of the Assistant Barrister of the County for the Time being, and that any other Person or Persons may be appointed by such Assistant Barrister, or with his Consent, in Manner directed by this Act, in the Room of any Officer so removed; and the Names of each and every Person so removed, as also the Names and Places of Abode of each and every Person appointed in the Room and Stead of any Officer so removed, shall be published in like Manner as by this Act is required with respect to the original Appointment of any such Officer respectively.

Officers may be removed, and others appointed, whose Names shall be published.

VI. And be it further enacted, That a Book or Books shall be kept by every Officer who shall be appointed under this Act for the Service of Process, in such Form as shall be directed or approved by the Assistant Barrister, in which shall be entered the Names of the Plaintiff and Defendant by or against whom any Process shall be issued, the Cause of Action, the Nature of such Process, the Day on which such Process shall be received to be served, the Day on which such Process shall be served or executed, the Place where and the Name and Description of the Person on or with whom such Process shall be served or left; and in case any such Process shall not have been duly served or left, then the Cause of such Service not having taken place shall be stated; and each and every Officer so appointed by any Assistant Barrister for the Service of such Process shall attend, and produce such Book to the Assistant Barrister, at each and every Sessions of the Peace, or shall cause such Book to be produced to such Barrister, in case the personal Attendance of such Officer shall be dispensed with by such Barrister, upon a sufficient Excuse for Nonattendance.

Book to be kept by Officers for entering Particulars of Service of Process;

and produced as herein mentioned.

C A P. XXXVII.

An Act to regulate the Appointment of Juries in the *East Indies*. [5th May 1826.]

‘ WHEREAS by an Act passed in the Thirteenth Year of the Reign of His late Majesty King George the Third, intituled *An Act for establishing certain Regulations for the better Management of the Affairs of the East India Company, as well in India as in Europe*, it is among other Things enacted, that all Offences and Misdemeanors which shall be laid, tried and inquired of in the Supreme Court of Judicature at *Fort William* in *Bengal*, shall be tried by a Jury of *British* Subjects resident in the Town of *Calcutta*, and not otherwise: And Whereas it is expedient that the Right and Duty of serving on Juries within the Limits of the local Jurisdiction of the several Supreme Courts at *Calcutta*, *Madras* and *Bombay*, should be further extended: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the

19 G. 3. c. 63.

§ 34.

Persons herein described resident in Calcutta, Madras and Bombay, qualified as herein mentioned, deemed capable of serving on Juries.

Courts may make Rules with respect to Qualification, &c.

Which shall be laid before His Majesty.

Juries to consist of Persons professing the Christian Religion.

Authority of the same, That all good and sufficient Persons resident within the Limits of the several Towns of *Calcutta*, *Madras*, and *Bombay*, and not being the Subjects of any Foreign State, shall, according to such Rules, and subject to such Qualifications, as shall be fixed in Manner hereinafter mentioned, be deemed capable of serving as Jurors on Grand or Petit Juries, and upon all other Inquests, and shall be liable to be summoned accordingly; any Thing in the said Act, or in any other Act, Charter or Usage to the contrary notwithstanding.

II. And be it further enacted, That the respective Courts of Judicature at *Calcutta*, *Madras* and *Bombay*, shall have Power from time to time to make and establish such Rules with respect to the Qualification, Appointment, Form of summoning, challenging and Service of such Jurors, and such other Regulations relating thereto as they may respectively deem expedient and proper: Provided always, that Copies of all such Rules and Regulations as shall be so made and established by such Courts of Judicature, shall be certified under the Hands and Seals of the Judges of such Courts to the President of the Board of Commissioners for the Affairs of *India*, to be laid before His Majesty for His Royal Approbation, Correction or Refusal; and such Rules and Regulations shall be observed until the same shall be repealed or varied, and in the last Case with such Variation as shall be made therein.

III. Provided also, and be it further enacted, That the Grand Juries in all Cases, and all Juries for the Trial of Persons professing the Christian Religion, shall consist wholly of Persons professing the Christian Religion.

C A P. XXXVIII.

An Act to enable Commissioners for trying Offences upon the Sea, and Justices of the Peace, to take Examinations touching such Offences, and to commit to safe Custody Persons charged therewith. [5th May 1826.]

‘ WHEREAS it is expedient that the Commissioners named in the Commission of Oyer and Terminer, for the trying of Offences committed within the Jurisdiction of the Admiralty of *England*; and also the Commissioners named in Commissions made under an Act passed in the Forty sixth Year of the Reign of King *George* the Third, for the more speedy Trial of Offences in distant Parts beyond the Sea; and also the Justices of the Peace in the United Kingdom, should have the Power, severally, as well as jointly, of taking Examinations upon Oath, touching Offences within the Jurisdiction of the Admiralty of *England*, and of committing to safe Custody Persons charged upon Oath with such Offences; Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for any One or more of the Commissioners for the Time being, named or to be named in the Commission of Oyer and Terminer, for the trying of Offences committed within the Jurisdiction of the Admiralty of *Eng’land*; and

46 G. 3. c. 54.

Commissioners for trying Offences at Sea, or Justices, may take Examinations touching

and also to and for any One or more of the Commissioners for the Time being, named or to be named in any Commission made or granted under or by virtue of the said Act of the Forty sixth Year of King *George* the Third; and also to and for any One or more of His Majesty's Justices of the Peace for the Time being for any County, Riding, Division or Place, in the United Kingdom, and they are hereby respectively authorized, empowered and required, from time to time to take any Information or Informations of any Witness or Witnesses upon Oath, which Oath they and each of them are hereby respectively authorized to administer, touching any Treason, Piracy, Felony, Robbery, Murder, Conspiracy or other Offence, of what Nature or Kind soever, committed upon the Sea, or in any Haven, River, Creek or Place where the Admiral or Admirals hath or have Power, Authority or Jurisdiction; and thereupon, (if such Commissioner or Commissioners, Justice or Justices of the Peace shall see Cause,) by any Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cause the Person or Persons charged in such Information or Informations to be apprehended and committed to safe Custody, to remain in such Custody until discharged in due Course of Law, or until bailed, in Cases in which Bail may by Law be taken.

Offences committed within the Jurisdiction of the Admiralty, and commit the Persons charged.

C A P. XXXIX.

An Act for funding Eight Millions of Exchequer Bills.

[5th May 1826.]

‘ Most Gracious Sovereign,

‘ **WE**, Your Majesty's most dutiful and loyal Subjects the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, being desirous of making Provision to satisfy the Principal Sums contained in certain Exchequer Bills, to the Amount of Eight Millions Sterling, and to raise the necessary Supplies which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved that the Persons who have engaged to subscribe towards funding the Sum of Eight Millions in Exchequer Bills should be entitled, in respect of the Principal Sums contained therein, to such Capital Stock in Annuities as is hereinafter mentioned, subject to the Provisions of this Act:’ We, Your Majesty's most faithful Commons, do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several Persons, their Executors, Administrators and Assigns, who, on the Seventeenth Day of *April* One thousand eight hundred and twenty six, caused their Names to be inscribed in a Book opened at the Bank of *England* for the Purpose of funding Exchequer Bills, and who deposited Ten Pounds *per Centum* on the Amount of Eight Millions of Exchequer Bills which they subscribed, shall, upon the Completion of the Amount subscribed by them respectively, in Manner and at the Times required by this Act, be entitled, for every One hundred Pounds Principal Money contained in the Exchequer Bills so subscribed, to One hundred and seven

What Stock the Persons who subscribed for funding 8,000,000*l.* of Exchequer Bills, and deposited 10 per Cent. entitled to on completing Subscriptions.

Pounds Capital Stock in Annuities, at the Rate of Four Pounds *per Centum per Annum*, to commence from the Fifth Day of *April* One thousand eight hundred and twenty six, which said Annuities shall be paid and payable at the Bank of *England* at the Times and in the Manner herein mentioned.

Annuities subject to Redemption.

II. And be it further enacted, That the said Four Pounds *per Centum* Annuities, created by this Act, shall be subject and liable to Redemption upon and at any Time after the Fifth Day of *April* One thousand eight hundred and thirty three, and not before that Period.

Future Instalments to be made in Manner herein mentioned.

III. And be it further enacted, That the said several Subscribers shall deposit the future Instalments of Exchequer Bills with the Governor and Company of the Bank of *England* on or before the Days or Times hereinafter mentioned; that is to say, Ten Pounds *per Centum* on or before the Twenty fourth Day of *May* One thousand eight hundred and twenty six, Twenty Pounds *per Centum* on or before the Fourteenth Day of *July* then next following, Ten Pounds *per Centum* on or before the Twenty second Day of *August* then next following, Twenty Pounds *per Centum* on or before the Seventeenth Day of *October* then next following, Ten Pounds *per Centum* on or before the Twenty first Day of *November* then next following, and Twenty Pounds *per Centum* on or before the Sixteenth Day of *January* One thousand eight hundred and twenty seven; and that no Exchequer Bills shall be deposited under this Act which have been advertized to be paid off, and the Interest thereof shall have previously ceased.

Guardians may subscribe for Infants.

IV. And be it further enacted, That it shall and may be lawful for any Guardian or Trustee, having the Disposition of any Exchequer Bills of any Infant, to subscribe for or towards advancing the said Sum of Eight Millions as aforesaid; and such Infant, upon the Deposit of the Amount subscribed by such Guardian or Trustee, shall become a Subscriber within the Meaning of this Act, and be entitled to have and receive the Annuities, Advantages and Payments in respect thereof, in such and the like Manner as any other Subscriber; and the said Guardian and Trustee, as to the said Sum or Sums so subscribed, is hereby discharged, so as the Name of such Infant be expressed in the Receipt or Receipts for such Exchequer Bills.

Subscribers to be allowed Interest on the Exchequer Bills deposited.

V. And be it further enacted, That every such Subscriber shall be entitled to receive, at the Office of the Paymasters of Exchequer Bills, Interest on the Amount of the Exchequer Bills deposited by them respectively at the Bank of *England* in pursuance of this Act, in Manner following; that is to say, upon the Amount of the Exchequer Bills deposited for the First Instalment, every such Subscriber shall be allowed Interest from the Day of the Date of such Bills so deposited up to the Seventeenth Day of *April* One thousand eight hundred and twenty six; and for the Amount of such Exchequer Bills which shall be so deposited by any such Subscriber for the Second and every subsequent Instalment, according to the Directions of this Act, every such Subscriber shall be allowed Interest from the Day of the Date of such Bills so deposited up to the several Days upon which such Instalments respectively become due.

VI. Provided always, and be it enacted, That it shall and may be lawful for any Subscriber or Subscribers to the said Sum of Eight Millions as aforesaid, instead of depositing Exchequer Bills at the Bank of *England* in Manner aforesaid, to pay to the Cashier or Cashiers of the Governor and Company of the Bank of *England* (who is and are hereby appointed Receiver or Receivers thereof without any other Warrant to be made in that Behalf) any Sum or Sums of Money in lieu of such Exchequer Bills, upon paying an Addition of Ten Shillings *per Centum* upon the Amount which such Subscriber or Subscribers may so pay in Money; and that all and every such Subscriber so paying Money instead of Exchequer Bills shall for every One hundred Pounds Ten Shillings Principal Money so paid be respectively entitled to One hundred and seven Pounds Capital Stock in Annuities at the Rate of Four Pounds *per Centum*, to commence and be payable as aforesaid.

Subscribers may pay Money instead of Exchequer Bills, paying 10s. *per Cent.* on the Money paid.

VII. And be it further enacted, That it shall and may be lawful for such Subscribers as aforesaid to deposit Exchequer Bills, or to pay the several Instalments of their Subscriptions in Money, in advance; and in such Case, whenever Exchequer Bills shall be so deposited, such Subscriber shall be entitled to, and shall receive at the Office of the Paymasters of Exchequer Bills, the Interest due on such Exchequer Bills from the Day of the Date thereof up to the Day when the several Instalments respectively would have become due if such Deposit had not been made in advance; and whenever any such Payment in advance shall be made in Money, such Subscribers shall be entitled, and shall receive or be allowed by the said Governor and Company of the Bank of *England* Interest at the Rate of Two Pence *per Centum per Diem* upon such Money so paid in advance, from the Day when such Payment in advance shall be made, up to the Day when the Instalment in respect of which such Payment in advance shall be made would have become due, if such Payment had not been made in advance.

Interest allowed on Payments made in advance.

VIII. And be it further enacted, That all and every Person and Persons, Bodies Politic and Corporate, who shall have deposited or shall deposit any such Exchequer Bill or Bills as aforesaid, or shall have paid or shall pay Money in lieu of such Exchequer Bills as aforesaid, shall for every Sum of One hundred Pounds contained in such Exchequer Bills, or for One hundred Pounds and Ten Shillings paid in Money, and so in Proportion for any greater Sum, have and be entitled to the Capital Stock in Annuities hereinbefore mentioned; and the Annuities thereon shall be payable Half Yearly, at the Bank of *England*, on the Tenth Day of *October* and the Fifth Day of *April* in every Year, the First Payment to become due on the Tenth Day of *October* One thousand eight hundred and twenty six; and that all Persons and Corporations entitled to any such Annuity or Annuities aforesaid, and his, her and their Executors, Administrators, Successors and Assigns respectively, and all Persons and Corporations lawfully claiming under him, her or them, shall have good, sure, absolute and indefeasible Estates and Interests in the said Annuities, according to the true Tenor and Meaning of this Act, until the Redemption thereof in the Manner herein directed, and shall be possessed thereof as of a Personal Estate, which shall not be

Subscribers, on depositing Exchequer Bills, or paying Money in lieu thereof, entitled to Annuities payable Half Yearly.

descendible to Heirs, nor liable to any Foreign Attachment by the Custom of *London* or otherwise; any Law, Custom or Usage to the contrary notwithstanding.

As soon as Subscriptions are completed Annuities may be transferred.

IX. And be it further enacted, That as soon as any Subscribers, their Executors, Administrators, Successors or Assigns, shall have deposited at the Bank of *England* Exchequer Bills, or shall have paid Money in lieu thereof to the full Amount of the Sums subscribed by them respectively, the Principal Sum or Annuity, to which such Subscriber is entitled under the Provisions of this Act, shall forthwith be in the Books of the Bank of *England* placed to the Credit of such respective Subscribers, their Executors, Administrators, Successors and Assigns, completing such Deposits or Payments; and the Persons to whose Credit such Principal Sums shall be so placed, their respective Executors, Administrators, Successors and Assigns, shall and may have Power to assign and transfer the same, or any Part, Share or Proportion thereof, to any other Person or Persons, Body or Bodies Politic or Corporate whatsoever, in the Books of the Bank of *England*; and the said Governor and Company of the Bank of *England* are hereby required, as soon as conveniently may be after the passing of this Act, to prepare proper Books for the Purpose of entering the Names of all such Subscribers, and of placing to their Credit the Principal Sums so paid by them respectively; and that such of the said Subscribers, their Executors, Administrators, Successors or Assigns, who shall complete the Deposits or Payments of such Parts of the whole Amount payable by them respectively towards the said Sum of Eight Millions, at any Time before the Governor and Company of the Bank of *England* shall have prepared their Receipts according to the Directions of this Act, shall be entitled to have the Amounts so deposited or paid forthwith placed to their Credit in the Books of the Bank of *England*; and the said Governor and Company are hereby required to cause such Sums to be forthwith placed to the Credit of the Persons entitled to the Annuities in respect thereof in the Books of the said Bank of *England*, and such Entries in the said Books shall be in lieu of the Receipts hereby directed to be given for all Sums deposited or paid in Manner aforesaid, and such Sums shall carry the Annuities after the Rate of Four Pounds *per Centum* redeemable by Parliament, and shall respectively be taken and deemed to be Stock transferable according to the true Intent and Meaning of this Act, until Redemption thereof in such Manner as is herein mentioned.

Subscribers depositing the whole of their Subscription by the Times herein specified to be entitled to Annuities from certain Periods.

X. Provided always, and be it further enacted, That all and every such Subscriber or Subscribers, his, her or their Executors, Administrators, Successors and Assigns, who shall have deposited with or paid to the Governor and Company of the Bank of *England*: the whole of his, her or their Subscription on or before the Fifth Day of *October* One thousand eight hundred and twenty six: shall be entitled to have and receive, on the Tenth Day of *October*. One thousand eight hundred and twenty six at the Bank of *England*, the Half Year's Annuity that shall become due on the Tenth Day of *October* One thousand eight hundred and twenty six; and that all and every Person or Persons who shall not have completed the whole of their said Payments on or before the said

Fifth Day of *October* One thousand eight hundred and twenty six, shall, on completing the same within the Time in this Act prescribed, be entitled to receive on the Fifth Day of *April* One thousand eight hundred and twenty seven, the Year's Annuity on the said Annuities from the Fifth Day of *April* One thousand eight hundred and twenty six, according to the true Intent and Meaning of this Act.

XI. And be it further enacted, That the Annuities aforesaid shall be payable and paid, and be transferable, at the Bank of *England*, and shall be subject to such Redemption as is hereinafter mentioned. Annuities payable, &c. at the Bank.

XII. And be it further enacted, That so much Money shall from time to time be set apart and issued at the Receipt of the Exchequer in *England*, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, to the said Cashier or Cashiers of the Governor and Company of the Bank of *England*, as shall be sufficient to satisfy and pay the respective Annuities to be created in respect of the said Sum of Eight Millions, together with the Charges attending the same. Money issued out of Consolidated Fund for Payment of Annuities.

XIII. And be it further enacted, That all the said Annuities, Interest and Dividends which shall become payable in respect of the said Sum of Eight Millions, shall be charged and chargeable upon, and are hereby charged upon and made payable out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*. Annuities charged on Fund.

XIV. And for the more easy and sure Payment of the Annuities established by this Act, be it further enacted, That the said Governor and Company of the Bank of *England*, and their Successors, shall from time to time, until all the said Annuities shall be redeemed or shall cease, appoint and employ One or more sufficient Person or Persons within their Office in the City of *London*, to be their Chief or First Cashier or Cashiers, and One other sufficient Person within the same Office to be their Accountant General; and that so much of the Monies by this Act appropriated for the Purpose, as shall be sufficient from time to time to answer the said Annuities and other Payments herein directed to be made out of the said Consolidated Fund, in respect of the said Sum of Eight Millions, shall by Order of the Commissioners of the Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three or more of them, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland* for the Time being, without any further Warrant to be sued for, had or obtained in that Behalf, from time to time, at the respective Days of Payment in this Act appointed for Payment thereof, be issued and paid at the Receipt of the Exchequer of *Great Britain*, to the said First or Chief Cashier or Cashiers of the said Governor and Company of the Bank of *England* and their Successors for the Time being, by way of Imprest and upon Account, for the Payment of the Annuities in respect of the said Sum of Eight Millions payable by virtue of this Act; and that such Cashier or Cashiers, to whom the said Money shall from time to time be issued, shall from time to time, without Delay, pay the same accordingly, and render his or their Accounts thereof, according to the due Course of the Exchequer in *Great Britain*; Bank to appoint Cashier and Accountant General; and Treasury to order Money to be issued to the Cashier for Payment of Annuities.

Britain; and that the said Accountant General for the Time being shall from time to time inspect and examine all Receipts and Payments of the said Cashier or Cashiers, and the Vouchers relating thereto, in order to prevent any Fraud, Negligence or Delay.

Cashier to give Receipts for Subscriptions, which may be assigned until Nov. 21. 1826.

Cashier to give Security for paying the Exchequer Bills and Money he receives into the Exchequer.

XV. And be it further enacted, That the Cashier or Cashiers of the Governor and Company of the Bank of *England*, who shall have received or shall receive any Part of the said Subscriptions towards the said Sum of Eight Millions, shall give a Receipt or Receipts in Writing to every such Subscriber for the Principal Money comprized in the Exchequer Bills deposited by them respectively, or for the Sum or Sums of Money paid in lieu thereof; and that the Receipts so to be given shall be assignable at any Time before the Twenty first Day of *November* One thousand eight hundred and twenty six, and no longer: Provided always, that such Cashier or Cashiers shall give Security to the good Liking of any Three or more of the said Commissioners of the Treasury, or the said Lord High Treasurer for the Time being, for duly answering and delivering over to the Paymaster of Exchequer Bills, or for paying into the Receipt of His Majesty's Exchequer in *Great Britain* as after mentioned, for the Public Use, all the Exchequer Bills and Monies which they have already received and shall hereafter receive from time to time, of and for the whole of the said Sum of Eight Millions, and for accounting duly for the same, and for Performance of the Trust hereby in him or them reposed, and shall from time to time deliver to the Paymaster of Exchequer Bills all the Exchequer Bills which shall be so deposited, and pay into the Receipt of the Exchequer all the Monies which shall be so received, as soon as he or they shall receive the same, or any Part thereof, or within Five Days afterwards at the farthest, and shall account for the same in the said Exchequer according to the due Course thereof, deducting thereout such Sums as shall have been paid by him or them in pursuance of this Act, for which Sums so paid Allowance shall be made in his or their Accounts.

Exchequer Bills deposited to be delivered to the Paymaster to be cancelled.

XVI. And be it further enacted, That all the Exchequer Bills so deposited or to be deposited, according to the Directions of this Act, with the Governor and Company of the Bank of *England*, shall be from time to time transmitted by the said Governor and Company, and delivered over to the Paymasters of Exchequer Bills, to be cancelled; and the Receipt for such Exchequer Bills, signed by any Two of the said Paymasters, shall be a sufficient Acquittance to the said Cashier or Cashiers, in accounting for the Exchequer Bills and Monies to be received by them in pursuance of this Act; and the said Paymasters of Exchequer Bills are hereby authorized and required, upon Receipt of any such Bill, to mark and cancel the same, and to pay the Interest thereupon according to the Provisions of this Act.

Books to be kept at Bank, for Subscribers Names. Duplicate to be delivered to Auditor of Exchequer.

XVII. And be it further enacted, That in the Office of the Accountant General of the Governor and Company of the Bank of *England* for the Time being a Book or Books shall be provided and kept, in which the Names of the Subscribers shall be fairly entered; which Book or Books the said respective Subscribers, their respective Executors, Administrators, Successors and

and Assigns shall and may from time to time, and at all seasonable Times, resort to and inspect without any Fee or Charge; and that the said Accountant General shall, on or before the Fifth Day of July One thousand eight hundred and twenty seven, transmit an attested Duplicate, fairly written on Paper, of the said Book or Books, into the Office of the Auditor of the Receipt of His Majesty's Exchequer of *Great Britain*, there to remain for ever.

XVIII. And be it enacted, That the Accountant General of the Governor and Company of the Bank of *England* shall certify to the Commissioners for the Reduction of the National Debt the Amount of all Exchequer Bills subscribed to be funded, and all Sums of Money subscribed to be paid under the Provisions of this Act, and also the total Amount of the Capital Stock in the Four Pounds *per Centum* Annuities which shall be created thereby.

XIX. And be it further enacted, That such Subscribers duly depositing or paying in the whole Sum so subscribed at or before the respective Times in this Act limited in that Behalf, and their respective Executors, Administrators, Successors and Assigns, shall have, receive and enjoy, and be entitled by virtue of this Act to have, receive and enjoy the said Annuities by this Act granted in respect of the Sum so subscribed, and shall have good and sure Interests and Estates therein, according to the several Provisions in this Act contained; and that the said Annuities shall be free from all Taxes, Charges and Impositions whatsoever: Provided always, that in case any such Subscribers who have already deposited with, or shall hereafter deposit or pay to the said Cashier or Cashiers any Exchequer Bills, or any Sum or Sums of Money in lieu thereof, at the Time and in the Manner hereinbefore mentioned, in part of the Sum or Sums so by them respectively subscribed, or their respective Executors, Administrators, Successors or Assigns, shall not advance and deposit or pay to the said Cashier or Cashiers the Residue of the Sum or Sums so subscribed at the Times and in the Manner before mentioned, then and in every such Case so much of the respective Sum or Sums so subscribed as shall have been actually deposited or paid in part thereof to the said Cashier or Cashiers shall be forfeited for the Benefit of the Public, and all Right and title to the said Annuities after the Rate of Four Pounds *per Centum* in respect thereof shall be extinguished; any Thing in this Act contained to the contrary thereof in anywise notwithstanding.

XX. And be it further enacted, That it shall be lawful for any Three or more of the said Commissioners of the Treasury, or the said Lord High Treasurer for the Time being, to issue and apply from time to time all such Sums of Money as shall be so paid into the Receipt of His Majesty's Exchequer of *Great Britain* by the said Cashier or Cashiers, in respect of the said Sum of Eight Millions, to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

XXI. And be it further enacted, That Books shall be constantly kept by the said Accountant General for the Time being, wherein all Assignments or Transfers of all Sums advanced or contributed towards the said Sum of Eight Millions shall be entered and registered, which Entry shall be conceived in proper Words for that Purpose,

The Amount subscribed, &c. to be certified to Commissioners for National Debt.

Subscribers duly paying their Subscriptions entitled to Annuities Tax free.

Subscriptions paid in part and not completed, forfeited.

Treasury may apply Money paid into Exchequer.

Accountant General to keep Books for entering Transfers.

Purpose, and shall be signed by the Parties making such Assignments or Transfers, or if such Parties be absent, by their respective Attorney or Attornies thereunto lawfully authorized in Writing, under his or their Hand and Seal or Hands and Seals, to be attested by Two or more credible Witnesses ; and that the several Persons to whom such Transfers shall be made may respectively underwrite their Acceptance thereof; and that no other Method of assigning and transferring the said Annuities, or any Part thereof, or any Interest therein, shall be good or available in Law : Provided always, that all Persons possessed of any Share or Interest in the said Annuities, or any Estate or Interest therein, may devise the same by Will, in Writing, attested by Two or more credible Witnesses ; but that no Payment shall be made upon any such Devise until so much of the said Will as relates to such Share, Estate or Interest in the said Annuities be entered in the said Office ; and that in Default of such Transfer or Devise, such Share, Estate or Interest in the said Annuities shall go to the Executors, Administrators, Successors and Assigns ; and that no Stamp Duties whatsoever shall be charged on any of the said Transfers, any Law or Statute to the contrary notwithstanding.

Stock may be devised.

Transfers not liable to Stamp Duty.

Incidents to be discharged.

Allowance for the Expence of Management.

XXII. Provided always, and be it further enacted, That out of the Monies arising from the Contributions towards raising the said Sum of Eight Millions by Annuities, any Three or more of the said Commissioners of the Treasury, or the said Lord High Treasurer for the Time being, shall have power to discharge all such incident Charges as shall necessarily attend the Execution of this Act, in such Manner as to them shall seem just and reasonable.

XXIII. Provided also, and be it further enacted, That it shall be lawful to and for the Governor and Company of the Bank of *England* to retain out of the said Contributions at the Rate of Four hundred Pounds for every Million thereof, as an Allowance for the Service, Pains and Labour of the said Cashier or Cashiers employed in receiving, paying and accounting for the same ; and also for the Service, Pains and Labour of the said Accountant General for performing the Trusts reposed in him by this Act ; which Allowance in respect of the Service, Pains and Labour of the said Cashier or Cashiers and Accountant General of the said Governor and Company shall be for the Use of the said Governor and Company, and at their Disposal only.

Annuities under this Act to form One Joint Stock, and to be transferable in the Manner herein directed.

XXIV. And be it further enacted, That all the said Annuities after the Rate of Four Pounds *per Centum per Annum*, created by virtue of this Act, shall be deemed, computed and taken to be One Capital or Joint Stock ; and that all and every Person and Persons, and Bodies Politic and Corporate whatsoever, shall have and be deemed to have a proportional Interest and Share in the said Stock, and in the Annuity attending the same at the Rate aforesaid ; and that the whole Capital or Joint Stock, or any Share or Interest therein, and the proportional Annuity attending the same, shall be assignable and transferable as this Act directs, and not otherwise ; and that there shall be constantly kept in the Office of the said Accountant General for the Time being within the City of *London* a Book or Books wherein all Assignments or Transfers of the said Capital or Joint Stock, or any Part thereof, and the proportional Annuity attending the same at the Rate aforesaid,

said, shall be entered and registered, which Entries shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers; or if any such Party or Parties be absent, by his, her or their Attorney or Attornies thereunto lawfully authorized, by Writing under his, her or their Hands and Seals, to be attested by Two or more credible Witnesses; and that the Person or Persons to whom such Transfer or Transfers shall be made shall respectively underwrite his, her or their Acceptance thereof; and that no other Method of assigning or transferring the said Stock, and the Annuities attending the same, or any Part thereof, or any Interest therein, shall be good and available in Law, and that no Stamp Duties whatsoever shall be charged on the said Transfers, or any of them.

XXV. And be it further enacted, That it shall be lawful for the Commissioners for the Reduction of the National Debt, and they are hereby empowered and required to accept and receive Four Pounds *per Centum* Annuities created by this Act, as the Consideration for the Purchase of Life Annuities; and for the Purpose of ascertaining the Price of such Four Pounds *per Centum* Stock or Annuities, the Cashier or Cashiers of the Bank of England shall, and they are hereby required, on every Day on which any of the said Four Pounds *per Centum* Annuities shall have been bought at the Bank of England, to cause an Account to be made out of the Average Price thereof, according to the Regulations prescribed by any Act or Acts now in force for ascertaining the Average Price of Three Pounds *per Centum* Bank Annuities, for enabling the Purchase of Life Annuities; which said Account shall be transmitted to the Officer appointed by the said Commissioners, to enable him to ascertain the respective Amounts of the Life Annuities which may be purchased by the Transfer of such Four Pounds *per Centum* Annuities as aforesaid.

XXVI. And be it further enacted, That when any of the said Four Pounds *per Centum* Annuities shall be transferred to the said Commissioners for the Purchase of Life Annuities, that such Four Pounds *per Centum* Annuities shall be first converted, by the Computation of the said Officer, into Three Pounds *per Centum* Consolidated or Reduced Bank Annuities (at the Option of the Purchaser), according to the Average Price of those Stocks, to be ascertained as hereinbefore directed, and the Life Annuities to be granted thereon shall be calculated and ascertained upon the Amount of Three Pounds *per Centum* Bank Annuities, including Fractions (if any) produced by such Conversion, according to the Provisions, Rules and Regulations prescribed by any Act or Acts now in force, enabling the said Commissioners to grant Life Annuities.

XXVII. And be it further enacted, That if any Person or Persons shall forge or counterfeit, or cause or procure to be forged or counterfeited, or shall willingly act or assist in the forging or counterfeiting any Receipt or Receipts for the Whole of or any Part or Parts of the said Subscription towards the said Sum of Eight Millions, either with or without the Name or Names of any Person or Persons being inserted therein, as the Subscriber or Subscribers thereto, or Payer or Payers thereof, or of any Part or Parts thereof, or shall alter any Number, Figure or Word therein,

No Stamp Duty.

The Annuities created by this Act may be received in Purchase of Life Annuities.

The Life Annuities granted shall be calculated on the Amount of 3 per Cents. produced on Conversion.

Persons counterfeiting Receipts, &c. guilty of Felony.

therein, or utter or publish as true any such false, forged, counterfeited or altered Receipt or Receipts, with Intent to defraud the Governor and Company of the Bank of *England*, or any Body Politic or Corporate, or any Person or Persons whatsoever; every such Person or Persons so forging or counterfeiting, or causing or procuring to be forged or counterfeited, or willingly acting or assisting in the forging or counterfeiting, or altering, uttering or publishing as aforesaid, being thereof convicted in due Form of Law, shall be adjudged guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy.

Death.

Bank to continue a Corporation till the Annuities here- by granted cease.

XXVIII. Provided always, and be it further enacted, That the said Governor and Company of the Bank of *England*, and their Successors, notwithstanding the Redemption of all or any of their own Funds in pursuance of the Acts for establishing the same or any of them, shall continue a Corporation for the Purposes of this Act until the Annuities by this Act granted shall be redeemed by Parliament as aforesaid; and that the said Governor and Company of the Bank of *England*, or any Member thereof, shall not incur any Disability for or by reason of their doing any Matter or Thing in pursuance of this Act.

No Fee for receiving Subscriptions, or paying or transferring Annuities.

XXIX. And be it further enacted, That no Fee, Reward or Gratuity whatsoever shall be demanded or taken of any of His Majesty's Subjects, for receiving or paying the said Subscription in Exchequer Bills or Money, or any of them, or for any Receipt concerning the same, or for paying the said Annuities or any of them, or for any Transfer of any Sum, great or small, to be made in pursuance of this Act, upon Pain that any Officer or Person offending by taking or demanding any such Fee, Reward or Gratuity, shall for every such Offence forfeit the Sum of Twenty Pounds to the Party aggrieved, with full Costs of Suit, to be recovered by Action of Debt, Bill, Plaint or Information in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, Privilege or Wager of Law, Injunction or Order of Restraint, or any more than One Imparllance, shall be granted or allowed.

Penalty 20*l*.

Persons sued may plead the General Issue.

XXX. And be it further enacted, That if any Person or Persons shall be sued, molested or prosecuted for any Thing done by virtue or in pursuance of this Act, such Person or Persons shall and may plead the General Issue, and give this Act and the special Matter in Evidence in his, her or their Defence or Defences; and if afterwards a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall discontinue his, her or their Action or Prosecution, or be nonsuited, or Judgment shall be given against him, her or them, upon Demurrer or otherwise, then such Defendant or Defendants shall have Treble Costs awarded to him, her or them, against any such Plaintiff or Plaintiffs.

Treble Costs.

Act may be altered, &c. this Session.

XXXI. And be it further enacted, That this Act may be altered, amended or repealed by any Act or Acts to be passed in this present Session of Parliament.

C A P. XL.

An Act to authorize the Lords Commissioners of His Majesty's Treasury to advance Money out of the Consolidated Fund towards the Expences of rebuilding *London Bridge*.

[5th May 1826.]

‘ **W**HEREAS a new Bridge is now building in pursuance of an Act passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act for the rebuilding of London Bridge, and for improving and making suitable Approaches thereto*; and it was provided by the said Act, that if it should appear to the Mayor, Aldermen and Commons of the City of *London* in Common Council assembled, that any Alteration ought to be made in the Plan of the said Bridge referred to in the said Act, and the same should be approved of by the Lords Commissioners of His Majesty's Treasury, the said Mayor, Aldermen and Commons of the City of *London* in Common Council assembled were required to make such Alteration accordingly: And Whereas in the Progress of the Works for the building of the said Bridge it appeared that great additional Accommodation would be afforded to the Public if the intended new Bridge were constructed so as to increase the Width of the Footways and Carriageway over the same: And Whereas the Mayor, Aldermen and Commons of the City of *London* in Common Council assembled caused a Representation of an Alteration in the Plan of the said new Bridge, in order to increase the Width thereof for the Purposes aforesaid, to be made to the Lords Commissioners of His Majesty's Treasury, who have signified their Approval thereof: And Whereas it is estimated that the additional Expences of such Increase of the Width of the said Bridge will amount to the Sum of Forty two thousand Pounds or thereabouts, and it is expedient that Provision should be made for defraying such Expence: And Whereas it will be necessary to raise considerable Sums of Money for Payment of the Expences of building the said Bridge, and of improving and making suitable Approaches thereto, upon the Credit of the Messuages, Lands and Hereditaments in the City of *London* and in the Counties of *Surrey, Kent and Essex*, vested in the Mayor and Commonalty and Citizens of the City of *London*, as Trustees for maintaining and repairing *London Bridge*, and commonly called *The Bridge House Estates*: And Whereas the said Mayor, Aldermen and Commons of the City of *London* in Common Council assembled have caused Application to be made to the Lords Commissioners of His Majesty's Treasury to advance and pay them the Sum of Forty two thousand Pounds for discharging the additional Expences to be occasioned by the increased Width of the said Bridge, and also to advance and lend such other Sums of Money towards the Expences of building the said Bridge, and of improving and making the said Approaches, to be secured to be repaid, with Interest, out of the Profits of the said Bridge House Estates, to the Satisfaction of the said Lords Commissioners, as they shall from time to time think proper and

4 G. 4. c. 50.

§ 4.

Treasury to
pay 42,000*l*.
out of Consoli-
dated Fund, to
the Mayor, &c.
of the City of
London.

Tax free.

Treasury em-
powered to ad-
vance Monies
out of Consoli-
dated Fund on
Credit of
Bridge House
Estates.

Form of Secu-
rity.

‘ and expedient: And Whereas the said Lords Commissioners
‘ of His Majesty’s Treasury are willing to allow and advance Sums
‘ of Money for the Purposes aforesaid, if such Payments be
‘ sanctioned by the Authority of Parliament:’ May it therefore
please Your Majesty that it may be enacted; and be it enacted
by the King’s most Excellent Majesty, by and with the Advice
and Consent of the Lords Spiritual and Temporal, and Commons,
in this present Parliament assembled, and by the Authority of the
same, That on or before the Fifth Day of *January* One thousand
eight hundred and twenty eight there shall be paid, from and out
of the Duties, Revenues and Incomes composing the Fund called
the Consolidated Fund of the United Kingdom of *Great Britain*
and *Ireland*, or out of the growing Produce of the said Fund, the
Sum of Forty two thousand Pounds of lawful Money of *Great*
Britain, by the Lord High Treasurer, or the Commissioners of
His Majesty’s Treasury for the Time being, or any Three or more
of them, to the Mayor, Aldermen and Commons of the City of
London in Common Council assembled, or to the Chamberlain of
the City of *London* for the Time being, free and clear of all Fees
and Deductions whatsoever.

II. And be it further enacted, That it shall be lawful for the
Lord High Treasurer, or the Commissioners of His Majesty’s
Treasury for the Time being, or any Three or more of them, if
he or they shall think it expedient, from time to time to advance
and lend, out of the said Duties, Revenues and Incomes com-
posing the said Consolidated Fund, or out of the growing Produce
of the said Fund, to the Mayor, Aldermen and Commons of the
City of *London* in Common Council assembled, or to the Cham-
berlain of the said City of *London* for the Time being, free and
clear of all Fees and Deductions whatsoever, any Sum or Sums of
Money which the said Lord High Treasurer or the said Commis-
sioners of His Majesty’s Treasury shall think proper, upon such
Security being given for Repayment thereof, with such Rate of
Interest, and at such Times and Manner, as the said Lord High
Treasurer or Commissioners, or any Three or more of them,
shall direct (but subject to prior Charges), out of the Rents
and Profits of the said Messuages, Lands, Tenements and Here-
ditaments called *The Bridge House Estates*.

III. And be it further enacted, That every Security for any Sum
or Sums of Money which shall be lent by the Lord High Treasurer
or the Commissioners of His Majesty’s Treasury or any Three
or more of them, by virtue of this Act, shall be made to the Soli-
citor for the Time being of His Majesty’s Treasury in the Words
or to the Effect following; (that is to say,)

‘ **BY** virtue of an Act passed in the Fourth Year of the Reign of
‘ His present Majesty, intituled [*here set forth the Title of the*
‘ *said recited Act*], and of an Act passed in the Seventh Year of
‘ His said present Majesty, intituled [*here set forth the Title of this*
‘ *Act*], We, the Mayor and Commonalty and Citizens of the City
‘ of *London*, in Consideration of the Sum of
‘ advanced and lent by the Lord High Treasurer or the Commis-
‘ sioners of His Majesty’s Treasury [*as the Case may be*], upon the
‘ Credit and for the Purposes of the said Act, and paid to the
‘ Chamberlain

Chamberlain of the said City of *London*, do grant, bargain, sell and demise unto (the Solicitor of His Majesty's Treasury), his Executors, Administrators and Assigns, in Trust for the Lord High Treasurer or the Commissioners of His Majesty's Treasury for the Time being, the Messuages, Lands and Hereditaments called *The Bridge House Estates* of the City of *London*, subject to the Charges in the said Act mentioned, to be had and holden from the Day of the Date of these Presents for the Term of One thousand Years; upon Condition nevertheless, that if the full Sum of _____ with Interest for the same after the Rate of _____ *per Centum per Annum* shall be fully paid into the Receipt of His Majesty's Exchequer at *Westminster*, to the Account of the Consolidated Fund, in the Proportions, at the Times and in the Manner hereinafter mentioned; (that is to say,) the Sum of _____ on every _____ Day of _____ and _____ Day of _____ next ensuing the Date of these Presents, until the said Sum of _____ with the Interest as aforesaid, shall be fully paid and satisfied; and the Sum of _____ (being so much of the said first Payment as shall exceed the Interest then due on the said Sum of _____ after the Rate aforesaid), and so much of every subsequent Half Yearly Payment as shall exceed the Interest due on so much of the said Principal Sum of _____ as shall for the Time being remain unpaid, shall be taken in part Satisfaction of the said Principal Sum of _____ so that on the _____ Day of _____ the whole of the Principal Sum, and all Interest due for the same, shall be and be considered to have been fully discharged, then this present Grant and Demise shall cease, determine and be absolutely void. In witness whereof the said Mayor and Commonalty and Citizens have caused their Common Seal to be hereunto affixed, the _____ Day of _____ in the Year of our Lord

And every such Mortgage shall be valid and effectual; and One Mortgage may be made for any Sum of Money (whatever may be the Amount) which may be lent at any one Time, or any Sum of Money Part thereof; any Thing in the said recited Act contained to the contrary notwithstanding.

IV. And be it further enacted, That the said Sum of Forty two thousand Pounds so to be paid as aforesaid, and the other Sum and Sums of Money which shall be advanced by virtue of this Act, shall be applied by the said Mayor, Aldermen and Commons in Common Council assembled, (after Payment thereof of the Costs, Charges and Expences incident to and to be incurred in or about the passing of this Act, or in anywise relating thereto,) in or towards the Purposes of the said Act of the Fourth Year of the Reign of His present Majesty, or any of them.

V. And be it further enacted, That in the Accounts directed by the said Act of the Fourth Year of the Reign of His present Majesty to be kept by the Chamberlain of the said City for the Time being, and laid yearly before each House of Parliament, shall be included an Account of all the Sum or Sums of Money which shall

Application of
the Monies.

The Chamberlain's Accounts
to include the
Monies to be
received under
this Act.

shall be received by virtue of this Act from time to time as the same shall be paid, and of all the Monies to be paid and disbursed from time to time out of such Sum or Sums of Money.

C A P. XLI.

An Act to amend the Laws for the Recovery of Small Debts, and the Proceedings for that Purpose, in the Manor Courts in *Ireland*. [26th May 1826.]

25 G. 3. (1.)

WHEREAS an Act was passed in the Parliament of *Ireland*, in the Twenty fifth Year of the Reign of His late Majesty King George the Third, intituled *An Act for the more speedy and easy Recovery of Small Debts in the Manor Courts within this Kingdom, and for regulating the Costs of Proceedings for that Purpose therein*: And Whereas an Act was passed in the Parliament of *Ireland*, in the Twenty seventh Year of His said late Majesty's Reign, to render more effectual the said recited Act of the Twenty fifth Year aforesaid; and it is expedient that the Provisions of the said Acts should be amended, and the Benefit thereof extended; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said recited Acts, or either of them, as excepts the Manor Courts in the County of *Dublin*, or in the County of the City of *Dublin*, from the Operation of the said Acts or either of them, shall be and is hereby repealed; and that from and after the passing of this Act the said recited Acts, and all the Provisions therein contained, as the same are amended or enlarged by this Act, shall extend and apply, and shall be construed to extend and shall be applied, to all Manor Courts within *Ireland*, and to the Recovery of all Sums of Money to the Amount mentioned in the said recited Act of the Twenty fifth Year of His late Majesty, and to any Amount whatever within the Sums to which the Jurisdiction of such Manor Courts may be respectively limited, by the Grants or Charters or other Authority under which the said respective Courts may be held, where the Cause of Action shall arise within the Jurisdiction of such Courts respectively, although such Sums shall exceed the several Sums in the Cases respectively mentioned in the said recited Act.

repealed, as
herein men-
tioned.

The said Acts
extended to all
Manor Courts
in *Ireland*, as
herein men-
tioned.

Appeal from
Decrees of
Manor Courts
in *Dublin*,
made to Judges
at Nisi Prius
for *Dublin*.

II. And be it further enacted, That it shall and may be lawful for any Person or Persons who shall think himself or themselves aggrieved by any Decree of any Seneschal or Steward of any Manor Court within the County or County of the City of *Dublin*, to appeal from such Decree to the Chief Justice of His Majesty's Courts of King's Bench or Common Pleas, or to the Chief Baron of His Majesty's Court of Exchequer in *Ireland*, or to any other Justice of Nisi Prius in the said Courts, at their respective Sitings at Nisi Prius for the City of *Dublin*, after the *Easter* or *Michaelmas* Term next following the pronouncing of such Decree, in the same Manner as any Parties aggrieved are empowered and directed to do in any Cases of Civil Bills; and the said Chief Justices and Chief Baron, or other Justices of Nisi Prius for the said City, are hereby

hereby empowered and required at the said Sittings, which for this Purpose they may hold in their respective Courts, or in any other convenient Place in the said City or Liberties thereof, and may continue by Adjournments as to them shall seem expedient, to hear and determine the said Appeals, in the same Manner as they are empowered and directed to do in any Cases of Civil Bills, and to issue a Decree and Execution thereon in like Manner as Decrees and Executions may be awarded and issued by the next going Judges of Assize, under the said recited Act of the Twenty fifth Year of King *George* the Second; and every such Seneschal or Steward is hereby required to stop further Proceedings on every such Decree, in like Manner and upon the like Conditions as by the said recited Act is directed and prescribed in any Cases of Appeal to the next going Judge of Assize.

Decree and
Execution.

III. And be it further enacted, That in all Cases where any Complaint or Application shall be made to the Seneschal or Steward of any Manor Court, such Steward or Seneschal shall and he is hereby authorized, empowered, and required to issue, or cause to be issued, a Summons or Process, in the Name of such Seneschal or Steward, to the Person or Persons complained against, requiring such Person or Persons to appear at the next Court to be holden by such Seneschal or Steward within such Manor, on any Day not less than Seven Days next after the Date of such Summons, and expressing the Names of the Parties, Plaintiffs and Defendants, the Cause of Action, and the Day and Place of Appearance; and every such Summons shall be served upon the Person or Persons complained against on some Day not less than Three Days before the Day appointed for the Appearance of such Person or Persons, by the Delivery of such Summons to such Person or Persons, or by leaving such Summons at the usual Place of Abode of such Person or Persons; and in case such Summons shall not be served or left as aforesaid on some Day not less than Three Days before such Days of Appearance, the same shall be and become null and void to all Intents and Purposes whatsoever.

Manner of is-
suing and
serving Sum-
mons, &c. to
attend Manor
Courts.

IV. And be it further enacted, That the Goods or Chattels of any Defendant which shall or may be seized or taken under any Attachment issuing out of any Manor Court in *Ireland* shall not be sold or exposed to sale, but shall remain in Custody of the Marshal or other Officer, until after the Court Day next succeeding the Court Day at which any Defendant to whom such Goods or Chattels shall belong shall have been summoned to appear as aforesaid; and that the Goods and Chattels of any Defendant shall not be sold under any Attachment in any Case where the Defendant shall appear, according to the Exigency of such Summons, and shall put in sufficient Bail for his future Appearance, and for abiding the Decision of the Court on the Matter in question.

Goods seized
under Attach-
ment not to be
sold before en-
suing Court
Day, nor if
Bail be put in
by Defendant.

V. And be it further enacted, That whenever the Sum sued for, or for which a Verdict or Decree shall be made or given in any Manor Court, shall not exceed the Sum of Forty Shillings, it shall be lawful for the Seneschal or Steward of such Court to withhold any Costs or any Part thereof from the Plaintiff in such Action, and not to issue any Execution on the Verdict for the Costs allowed by the said recited Act of the Twenty fifth Year of King *George*

Where Sum
sued for or re-
covered does
not exceed 40s.
Costs may be
withholden;

and Seneschal may stay issuing of Decree if the Defendant will undertake to pay Amount by Instalments.

the Second, or to issue Execution only for such Part or Proportion of such Costs as to such Seneschal or Steward shall seem fitting and convenient, according to the Circumstances of the Case; and that in all such Cases when the Sum sued for, or for which a Verdict or Decree shall be made or given, shall not exceed the Amount aforesaid, it shall and may be lawful for any Seneschal or Steward of such Court, being a Barrister of at least Three Years' standing, to stay the issuing of the Decree for any Space of Time not more than Three Calendar Months, provided the Defendant shall undertake to pay the Amount of the Sums so decreed, with the Costs, by such weekly or monthly Instalments, or in such Proportions as the said Seneschal or Steward, upon a careful Enquiry and Examination into the Circumstances of the Defendant and his Ability to pay, shall direct; and the said Decree shall be stayed accordingly, until Default be made by the Defendant, in the Payment of some One Instalment, and shall then only issue for the Balance due on the Foot of such Decree, with such Costs as the said Seneschal or Steward may think fitting.

Seneschals to enter into Recognizances, and answer for Damages for Misconduct.

VI. And be it further enacted, That every Seneschal or Steward of any Manor in *Ireland*, not being a Barrister of at least Three Years' standing, who shall hold such Office of Seneschal or Steward at the Time of the passing of this Act, shall before the Expiration of Six Calendar Months next after the passing of this Act, and every Seneschal or Steward of any Manor in *Ireland*, who shall be appointed at any Time after the passing of this Act, not being such Barrister as aforesaid, shall within Three Calendar Months next after any such Appointment shall take place respectively enter into and give Security by Recognizance, with Two good and sufficient Sureties, before the Justices of the Peace and Assistant Barrister, at some Quarter Session or General Session of the Peace, or some Adjournment thereof, in the County, County of a City or Town in which the Manor shall be situate, or before the Judges or Justices of Oyer and Terminer and General Gaol Delivery, to be holden in and for such County, County of a City, or County of a Town, or before the Chairman of the Sessions of the Peace for the County of *Dublin*, where any such Manor shall be situate in the County of *Dublin*, or before the Recorder of the City of *Dublin*, where any such Manor shall be situate within the County of the City of *Dublin*, in such Sum and Sums respectively as to such Assistant Barrister, or Justices of Oyer and Terminer, or Chairman of the Sessions of the County of *Dublin*, or Recorder of *Dublin*, shall think sufficient, conditioned for the true and faithful Performance of the Duties of the Office of such Seneschal or Steward, and to pay and satisfy any Damages which may be given against him in any Action for Neglect or Misconduct, or Breach of Duty in his Office; and if any such Seneschal or Steward of any Manor, not being such Barrister as aforesaid, shall omit or neglect to enter into such Recognizance as aforesaid, within the Times aforesaid, he shall forfeit the Sum of Five hundred Pounds to His Majesty, His Heirs and Successors, to be recovered by Action of Debt in any of His Majesty's Courts of Record in *Dublin*, in which no Essoign, Protection or Wager of Law, nor more than One Imparance shall be allowed.

Penalty.

C A P. XLII.

An Act to amend the Laws in force in *Ireland* for preventing the vexatious Impounding of Cattle for Trespass or Damage feasant. [26th May 1826.]

‘ **W**HEREAS an Act was passed in the Parliament of *Ireland* in the Fortieth Year of the Reign of His late Majesty King *George* the Third, for amending and rendering more effectual an Act passed in the Thirty seventh Year of His said late Majesty’s Reign, intituled *An Act to prevent vexatious Impounding of Cattle for Trespass or Damage feasant*; and it is expedient to render the Provisions of the said Act of the said Fortieth Year more effectual; Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Magistrates assembled at any Quarter Sessions or Adjournment thereof, which shall be holden at any Time after the passing of this Act, in or for any County, County of a City or County of a Town in *Ireland*, or any Barony, Half Barony or Subdivision thereof, not less than Three such Magistrates being present, to nominate and appoint any Number of Persons, not exceeding Three, resident in each and every Parish in such County, County of a City or County of a Town, to act as Appraisers and Arbitrators in the Execution of this Act in such Parish, or in such Number of adjacent Parishes, as such Magistrates shall define and fix; and it shall and may be lawful for such Magistrates so assembled from time to time in their Quarter Sessions, not less than Three being present, to suspend or remove all or any of such Appraisers and Arbitrators, and to appoint others in their Room, and also to fix and appoint the Quantum or Rate of Fee or Remuneration to be paid to such Appraisers and Arbitrators in the Execution of their Duty, and to alter and vary the Amount thereof from time to time; and every Person appointed to be such Appraiser and Arbitrator, before taking upon himself such Office, shall take and subscribe the following Oath:

37 G.3. (I.)

Magistrates at Sessions in *Ireland* may appoint Persons to be Appraisers and Arbitrators of Damages arising from Trespass; and suspend or remove them; and fix or alter their Fees.

‘ **I** *A. B. of C. D.* in the Parish of *E.* do swear, That I will, when called upon, justly and honestly appraise and value and arbitrate with respect to all Matters relating to the Trespassing and Damage feasant of Animals of any Description; and that I will faithfully and honestly perform all other the Duties of an Appraiser and Arbitrator, according to an Act made in the Seventh Year of the Reign of King *George* the Fourth, intituled [*here set forth the Title of this Act*]; and that I will not accept or take any Fee or Reward for executing such Duty, save and except what I shall be entitled to under the Provisions of said Act.

Oath of Appraiser and Arbitrator.

So help me GOD.’

Which Oath it shall be lawful for any Magistrate within his Jurisdiction to administer in open Court at any Petty Sessions, or reputed Petty Sessions, in any Barony or Half Barony, or other Division of a County, County of a City or County of a Town, and such Oath shall be registered and recorded at such Petty

Arbitrator to attend when called upon.

Sessions or reputed Petty Sessions; and every Person so appointed shall be liable to be so called upon, and shall attend accordingly, to appraise and to arbitrate and decide between Parties in Cases of Complaint of Injury arising from Animals of any Description trespassing or Damage feasant; and also in all Cases of Disputes and Complaints as to the State of the Fences arising under the said recited Act or this Act.

In Cases of Trespass where Rates of Damage are fixed, Persons injured may take Cattle to Owner, &c. who shall pay such Rates.

II. And, in order to avoid the impounding of Cattle, be it further enacted, That where Animals of any Description shall be found trespassing or Damage feasant, and the Rates of Damage to be paid for such Trespass shall have been fixed by the Magistrates in pursuance of the said recited Act, it shall be lawful for the Person or Persons entitled to such Rates of Damage, to take, drive or send such Animals to their Owner, or the known Steward or Herdsman of the Owner, or to shew such Owner, or the known Steward or Herdsman of such Owner, the Animal or Animals actually in the Act of trespassing and Damage feasant; and if such Owner, or the known Steward or Herdsman of such Owner, shall be satisfied that such Trespass has been actually committed, it shall be lawful for such Owner, and he is hereby required to pay such Rates of Damage so fixed, and in such Cases the Animals so trespassing shall not be impounded; but in case the Owner of any such Animal or Animals, or some Person on his Behalf, shall not pay the Amount of such fixed Rate of Damage, it shall and may be lawful for the Party aggrieved by such Trespass, instead of impounding them, to make his Complaint to the Magistrates assembled in Petty Sessions, or reputed Petty Sessions, for the District where the Parties reside; and such Magistrates shall summon the Owner of the Animals so trespassing, or the Steward or Herdsman of such Owner, to appear before them, and it shall be lawful for such Magistrates, (after the Time appointed by such Summons for the Appearance of the Party complained against, whether the Person so summoned shall appear or not,) upon Proof of the Service of such Summons, to enquire and examine into the Matter of such Complaint; and upon satisfactory Proof of such Trespass, and of the Neglect or Refusal to pay the Rate of Damage for such Trespass so fixed as aforesaid, to issue their Warrant to levy such Rate of Damage for such Trespass, together with such reasonable Costs for Loss of Time, as such Magistrates shall think fit to be paid to the Plaintiff, unless it shall appear to the Satisfaction of such Magistrates, that the Defendant had sufficient Grounds to justify the Nonpayment of the Rate of Damage for such Trespass.

Where Damage for any particular Description of Trespass shall not have been rated, &c. Complainant may call upon Arbitrators to estimate and certify Amount of Damages.

III. And be it further enacted, That in all Cases where it shall happen that the Rate of Damage for any particular Description of Trespass, which shall be the Subject of any Complaint between Parties, shall not have been fixed by the Magistrates in Manner required by the said recited Act, or where any Damage so complained of shall exceed in its Nature and Amount the Rates so fixed, or where the Neglect or Refusal to pay any Demand on account of Trespass or Damage as aforesaid shall arise out of the Neglect or Refusal of the Complainant to keep his Fences in a proper State of Repair, or where the Owner or Owners of the Animals complained against as having been trespassing or Damage feasant shall neglect or refuse to appoint or concur in the Appointment

ment of Arbitrators pursuant to the Provisions of the said recited Act, for the Space of Twenty four Hours after Complaint made, then and in any or either of such Cases it shall and may be lawful for the Person or Persons making such Complaint as aforesaid to call upon any Person, who shall have been appointed under the Authority of this Act to be an Appraiser and Arbitrator in or for the Barony, Parish or Place within which such Trespass or Damage shall be alleged to have been committed; and such Appraiser and Arbitrator shall proceed without Delay to view the Place, and to enquire into the Matter, and to estimate the Amount of a fair and reasonable Compensation to be paid for such Damage, and to view the State of the Fences between the Parties, and to ascertain and determine by whose Neglect or Refusal such Trespass and the Damage arising therefrom shall have been committed and caused; and such Appraiser and Arbitrator shall give a Certificate in Writing, signed with his Hand, of the Amount of Damage incurred, and specifying by whose Act or Neglect such Damage was caused, and also his Opinion of the State of the Fences, and by whom the same ought to be repaired.

Contents of such Certificate.

IV. And be it further enacted, That in case the Amount of such Damage so certified shall not be paid by the Person stated in such Certificate to be liable to pay the same, it shall and may be lawful for the Person aggrieved to apply to the Magistrates assembled at the Petty Sessions, or reputed Petty Sessions, not less than Two of such Magistrates being present, and such Magistrates shall summon the Parties to appear before them, and shall examine into and determine the Matter of such Complaint; and if they shall be of Opinion that the Award and Certificate of such Appraiser and Arbitrator is just and equitable, such Magistrates shall issue their Warrant to cause the Amount of Damage so specified in such Certificate, together with reasonable Costs for Loss of Time, to be levied by Distress and Sale of the Goods of the Offender, and to be paid to the Party aggrieved, rendering the Overplus, if any, to such Offender.

Magistrates at Petty Sessions may levy such Damage by Distress.

V. And be it further enacted, That whenever it shall appear that the Trespassing or Damage feasant of Animals of any Description, or any Injury relating thereto, shall be occasioned to or suffered by any Person or Persons in consequence of the bad or imperfect State or Destruction of any Fences, and the Person aggrieved thereby shall, pursuant to the Provisions of the said recited Act or this Act, have laid his Complaint before a Magistrate, and Arbitrators shall have been thereupon appointed under the said recited Act, or called upon to act under this Act, and shall have estimated the Sum necessary for the Repair of such Fences, and the Proportion of Money to be paid, and also the Proportion of Fences to be kept in Repair by each or any of the Parties, and shall have certified the same to the Magistrates, then and in every such Case it shall be lawful for such Magistrate, and he is hereby authorized and required to call upon such Arbitrators to add to their Certificate a Specification of the Time within which every such Party shall execute such Repairs, and such Arbitrators shall specify such Time accordingly; and such Magistrate, if he shall think fit, shall thereupon issue an Order under his Hand, requiring every such Party to make or repair the Fences, or Proportion of

Manner of Proceeding where Damage occurs from bad Fences.

Fences, within such Time so specified and fixed; and if either Party shall neglect or refuse to make or repair such Fences in Manner and within the Time so specified and required, it shall be lawful for such Magistrate to order and authorize the other Party forthwith to make or repair the whole of such Fences so estimated; and the Person who shall so repair the whole of such Fences accordingly, shall and may apply to the Magistrates assembled at any Petty Sessions, or reputed Petty Sessions, to recover the Proportion of the Expence incurred by him in respect of the Party who shall have so made Default; and the Magistrates at such Petty Sessions, or reputed Petty Sessions, shall, in all Cases where the Sum awarded by them shall not exceed Five Pounds, issue their Warrant to cause the same to be levied by Distress and Sale of the Goods of the Offender, and to be paid to the Person aggrieved; and in all Cases where the Sum shall exceed Five Pounds it shall and may be lawful for the said Magistrates, and they are hereby required, to examine into the Matter as in all other Cases, and to give a Certificate signed by them to either Party, stating their Opinion and Decision on the Case; and such Certificate shall be admitted as Evidence in the Trial of any Action which may be instituted in any Court to recover such larger Amount.

Where not exceeding 5*l*.

Where exceeding 5*l*.

Certificate of Magistrates Evidence.

Where Persons impounding refuse to receive Compensation, or to appoint Arbitrators, Magistrate may hear Complaint, and give Costs to Defendant.

VI. And be it further enacted, That whenever any Person shall complain of Damage sustained from Animals trespassing or Damage feasant, or by reason of the Want or Insufficiency of Fences, and it shall appear that such Person so complaining shall have been offered a fair and reasonable Compensation for such Trespass, and shall have refused the same, and shall have refused or neglected to appoint or to concur in appointing Arbitrators, and shall nevertheless persist in impounding such Animals, it shall and may be lawful for the Magistrates, before whom such Complaint shall be made, to hear and determine such Complaint, and to allow and order any reasonable Costs to be levied and paid to the Party aggrieved by such Refusal or Neglect of the Party complaining; and in case of Neglect or Refusal to pay such Costs, to issue their Warrant, and to cause the same to be levied by Distress, to be paid to the Party aggrieved accordingly.

Party against whom Order made, neglecting to pay within 24 Hours,

VII. And be it further enacted, That in all Cases of Dispute relating to Trespass or Damage feasant, in which any Magistrate or Magistrates shall have made any Order for the Payment of any Sums of Money pursuant to the Provisions of the said hereinbefore recited Act or this Act, if any Person against whom such Order shall have been made shall neglect or refuse to pay the Amount required by such Order for the Space of Twenty four Hours next after such Order made, or within such further Time as such Magistrates shall fix or appoint, it shall be lawful for the Magistrates so making such Order to issue his or their Warrant to cause the Amount to be levied by Distress and Sale of the Goods of the Offender, together with such reasonable Costs as to such Magistrates shall seem meet, to be paid to the Person or Persons in whose Favour such Order shall have been made.

Distress.

Magistrates may order Payment of Arbitrators.

VIII. And be it further enacted, That it shall and may be lawful for any Magistrate or Magistrates in the Execution of this Act to order the Rate of Payment which shall be fixed by the Magistrates

strates at the several Quarter Sessions for the Remuneration of the Appraisers and Arbitrators appointed under this Act for the Execution of their Duty, to be paid either by the Plaintiffs or Defendants, as such Magistrates shall think fit, in the several Matters of Dispute, and to issue their Warrant to compel Payment accordingly.

IX. Provided always, and be it further enacted, That it shall and may be lawful for any Person who shall think himself aggrieved by any Order or Decision of such Magistrates to appeal against their Decision to the next Quarter Sessions of the County, and such Appeal shall be tried and finally determined at such Quarter Sessions accordingly; and the Justices of Peace at such Sessions may affirm or reverse any such Order or Decision of such Magistrates, with such Costs as they shall think proper: Provided always, that Notice in Writing of such Appeal shall be given to the Magistrates before whom such Conviction or Decision shall be had, at the Time of their Decision upon the particular Case; and that sufficient Security conditioned for duly prosecuting such Appeal shall be given and entered into before such Magistrates at the Time of the making such Appeal; and whenever such Appeal shall be made, and such Security given as aforesaid, it shall not be lawful for such Magistrates to issue their Warrant for levying of any Penalty or Sum of Money in such particular Case.

Appeal to
Quarter
Sessions,
final.

Proviso for
Notice and
Security.

C A P. XLIII.

An Act to amend the Laws in force in *Ireland* relating to Conveyances and Transfers of Estates and Funds vested in Trustees. [26th May 1826.]

‘WHEREAS an Act was passed in the Parliament of *Ireland*, 2 G.1. (1.)
‘in the Second Year of the Reign of King George the First,
‘intituled *An Act to enable Infants who are seised or possessed of*
‘*Estates in Fee, in Trust or by way of Mortgage, to make Con-*
‘*veyances of such Estates*: And Whereas an Act was passed in
‘the Parliament of *Ireland*, in the Fifth Year of the Reign of King 5 G.2. (1.)
‘George the Second, intituled *An Act to enable Idiots and Lunatics*
‘*who are seised or possessed of Estates in Fee or for Lives or*
‘*Terms of Years, in Trust or by way of Mortgage, to make Con-*
‘*veyances, Surrenders or Assignments of Estates, and to prevent*
‘*Delays where Trustees are not found*: And Whereas it is expedient that further Provision should be made for the facilitating
‘the Conveyance and Transfer of Estates and Funds in *Ireland*,
‘vested in Trustees;’ Be it therefore enacted by the King’s most
Excellent Majesty, by and with the Advice and Consent of the
Lords Spiritual and Temporal, and Commons, in this present
Parliament assembled, and by the Authority of the same, That when
and so often as any Person or Persons seised or possessed of any
Lands, Tenements or Hereditaments, or other Property in *Ireland*,
or any Estate or Interest therein, upon any Trust or Trusts or by
way of Mortgage, shall be out of the Jurisdiction of or shall not
be amenable to the Process of the Court of Chancery or Exchequer
in *Ireland*, or it shall be unknown or uncertain whether
such Person or Persons be living or dead, or such Person or
Persons shall refuse to convey or otherwise assure such Lands,
Tenements,

Where Trustees
or Mortgages
of Lands in
Ireland are out of
the Jurisdiction
of the Court, or
refuse to convey,
&c. the
Court of Chan-
cery or Exche-
quer there may

appoint a Person to convey.

Tenements, Hereditaments or Property, or Estate or Interest, to the Person or Persons entitled thereto, or as such Person or Persons shall direct, or to a new Trustee or Trustees duly appointed by virtue of some Power or Authority, or by the said Court of Chancery or Exchequer, either alone or together with any continuing Trustee or Trustees, as Occasion shall require, then and in every or any such Case, it shall be lawful for such Court of Chancery or Exchequer to appoint such Person or Persons as to such Court shall seem meet, on behalf and in the Name or Names of the Person or Persons seised or possessed as aforesaid, to convey, surrender, release, assign or otherwise assure such Lands, Tenements, Hereditaments or Property, or Estate or Interest, to such Person or Persons, and in such Manner as such Court shall think proper and direct; and every such Conveyance, Release, Surrender, Assignment or Assurance shall be as valid and effectual to all Intents and Purposes, as if the Person or Persons being out of the Jurisdiction or not amenable to the Process of such Courts, or not known to be alive, or having refused, had, by himself, herself or themselves, executed the same.

Court of Chancery or Exchequer may appoint Persons to transfer Stock in the Bank of Ireland, &c.

II. And be it further enacted, That when and so often as any Stocks, Funds, Annuities or Securities transferable in the Books of the Governor and Company of the Bank of *Ireland*, or of any other Company or Society established or to be established in *Ireland*, shall be standing in the Name of or otherwise vested in any Person or Persons, as a Trustee or Trustees, or the legal personal Representative of a Trustee or Trustees, who shall be out of the Jurisdiction or not amenable to the Process of the Court of Chancery or Exchequer in *Ireland*, or it shall be unknown or uncertain whether such Person or Persons be living or dead, or such Person or Persons shall refuse to transfer such Stocks, Funds, Annuities or Securities, or to receive and pay over the Dividends thereof to the Person or Persons entitled thereto or as such Person or Persons shall direct, or to a new Trustee or Trustees, duly appointed by virtue of some Power or Authority, or by the said Court of Chancery or Exchequer, either alone or together with any continuing Trustee or Trustees (as Occasion shall require), then and in every such Case it shall be lawful for the said Court of Chancery or Exchequer to appoint such Person or Persons as to such Court shall seem meet, being an Officer of such Company or Society, to transfer or join with the other Trustee or Trustees, or Representative or Representatives (if any), in transferring such Stocks, Funds, Annuities or Securities to or into the Name or Names of such Person or Persons, and in such Manner as such Court of Chancery or Exchequer shall think proper and direct; and also to order any Person or Persons appointed as aforesaid to receive and pay over the Interest, Dividends or Annual Produce of such Stocks, Funds, Annuities and Securities, in such Manner as such Court of Chancery or Exchequer shall direct; and every such Transfer, Receipt and Payment shall be as valid and effectual as if the Trustee or Trustees, Representative or Representatives, had, by himself, herself or themselves, transferred, received and paid such Stocks, Funds, Annuities or Securities, or Interest, Dividends and Annual Produce.

III. And

III. And be it further enacted, That every Direction, Order or Appointment to be made in pursuance of this Act, by the Court of Chancery or Exchequer, shall be signified by an Order to be made upon the Petition of such Person or Persons as hereinafter is mentioned; (that is to say,) if the same shall relate to a Conveyance or other Assurance or Transfer to any Person or Persons beneficially entitled, then upon the Petition of the Person or Persons beneficially entitled to the Lands, Tenements, Hereditaments, Stocks, Funds, Annuities, Securities or Property, or Estate or Interest, to be conveyed, assured or transferred; and if the same shall relate to a Conveyance or other Assurance or Transfer, in order to vest any Lands, Rents, Hereditaments, Property, Stocks, Funds, Annuities or Securities, in a new Trustee or Trustees duly appointed by virtue of some Power or Authority, or by the Court of Chancery or Exchequer, either alone or together with any continuing Trustee or Trustees, then upon the Petition of the Trustee or Trustees in whom the same shall be proposed to be vested, or some or One of them; and if the same shall relate to the Conveyance or other Assurance of an Estate in Mortgage, then upon the Petition of the Person or Persons entitled to the Equity of Redemption thereof, or some or One of the Person or Persons entitled to the Monies thereby secured, or some or One of the Guardian or Guardians of the Person or Persons entitled to such Monies, if an Infant or Infants.

Orders of Courts under Authority of this Act to be made upon Petition of certain Parties herein mentioned.

IV. And be it further enacted, That every Person who shall be appointed by virtue of this Act, shall and may be empowered and compelled, by the Order to be obtained as hereinbefore is mentioned, to make such Conveyance or Conveyances, or other Assurance or Assurances, or Transfer or Transfers, or Payment or Payments as aforesaid, in like Manner as Trustees of full Age and of sane Mind, Memory and Understanding, are compellable to convey or otherwise assure or transfer and pay over their Trust Estates or Funds.

Persons appointed may be compelled to convey or transfer, &c.

V. And be it further enacted, That the several Provisions hereinbefore contained shall extend and be construed to extend to Cases in which a Trustee or Trustees may have some beneficial Estate or Interest in the Lands, Tenements, Hereditaments, Property, Stocks, Funds, Annuities or Securities vested in him, her or them as aforesaid, and also to Cases in which the Trustee or Trustees may have some Duty or Duties to perform, so as to enable Conveyances and other Transfers to be made, in order to vest any Lands, Tenements, Hereditaments, Property, Stocks, Funds, Annuities or Securities, in a new Trustee or Trustees duly appointed in the Place of such Trustee or Trustees, by virtue of some Power or Authority, or by the Court of Chancery or Exchequer in *Ireland*, either alone or jointly with any continuing Trustee or Trustees, as the Case may require.

How far Act to extend to Trustees having beneficial Interest, or having Duty to perform.

VI. And be it further enacted, That the Provisions hereinbefore contained shall extend and be construed to extend to all Cases of Petitions in which the Court of Chancery or the Court of Exchequer in *Ireland* are by Law authorized and empowered to grant Relief and make summary Orders without Suit, either in Matters of Charity, or relative to or for the better Security, or for the Application, Receipt, Payment or Transfer of any of the Funds thereof,

And to Petitions in Cases of Charity and Friendly Societies.

thereof, or in Matters relative to any Benefit or Friendly Societies, or for the better Security, or for the Application, Receipt, Payment or Transfer of any of the Funds thereof.

Indemnity to
the Bank and
other Com-
panies.

VII. And be it further enacted, That this Act shall be and is hereby declared to be a full and complete Indemnity and Discharge to the Governor and Company of the Bank of *Ireland*, and all other Companies and Societies, and their Officers and Servants, for all Acts and Things done or permitted to be done pursuant thereto; and that such Acts and Things shall not be questioned or impeached in any Court of Law or Equity to their Prejudice or Detriment.

Costs may be
directed to be
paid.

VIII. And be it further enacted, That the Court of Chancery or Exchequer in *Ireland* may order the Costs, Charges and Expences of and relating to the Petitions, Orders, Appointments, Conveyances or other Assurances and Transfers to be made in pursuance of this Act or any of them, to be paid and raised out of or from the Lands, Tenements and Hereditaments, Stocks, Funds, Annuities and Securities, or the Rents, Issues, Dividends and Annual Produce, in respect of which the same respectively shall be made, in such Manner as such Court shall think proper.

C A P. XLIV.

An Act to allow, until the Tenth Day of *October* One thousand eight hundred and twenty six, the Enrolment of certain Articles of Clerkship; to prevent Attornies and others from being prejudiced in certain Cases by the Neglect to take out their Annual Certificates; to prohibit the stamping Articles of Clerkship after a certain Time; and to extend the Period for taking out Certificates after Matriculation at the Universities. [26th May 1826.]

• **W**HEREAS many Persons who may have paid the proper Stamp Duties, either before or within Six Months after the Execution of the Contracts in Writing entered into by them to serve as Clerks to Attornies or Solicitors, Scriveners or Notaries Public, in *Great Britain*, have omitted to cause Affidavits to be made, and afterwards to be filed in the proper Office, of the actual Execution of such Contracts, and the Indentures thereof to be enrolled within the Time in which the same ought to have been done, and many Infants and others may thereby incur certain Disabilities: For preventing thereof, and relieving such Persons, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Person who shall have, either before or within Six Months after the Execution of such Contract or Indenture, paid the proper Stamp Duty in that Behalf, and who at the passing of this Act shall have neglected or omitted to cause any such Affidavit or Affidavits as aforesaid to be made and filed, or such Contract or Indenture to be enrolled, and who on or before the Tenth Day of *October* One thousand eight hundred and twenty six shall cause such Contract or Indenture to be enrolled with the proper Officer in that Behalf, and

Indemnity as
herein men-
tioned to Per-
sons who shall
have paid Du-
ties within Six
Months after
Execution of
Indentures to
serve as Clerks
to Attornies,

One

One or more Affidavit or Affidavits to be made; and afterwards to be filed, in such Manner as the same ought to have been made and filed, in due Time, shall be and is hereby indemnified, freed and discharged from and against all Penalties, Forfeitures, Incapacities and Disabilities, in or by any Act or Acts of Parliament mentioned, and incurred or to be incurred for or by reason of such Neglect or Omission; and every such Affidavit and Affidavits so to be made, and which shall be duly filed on or before the said Tenth Day of *October* next, shall be as effectual to all Intents and Purposes as if the same had been made and filed within the respective Times the same ought, by the Laws now in being for that Purpose, to have been made and filed; and it shall be lawful for the respective Officer or Officers who ought to receive, enrol, register, make and file every such Contract or Indenture and Affidavit respectively, and such Officer or Officers respectively are hereby authorized and required to receive, enrol and register, and to make and file every such Contract, Indenture or Affidavit respectively, at any Time on or before the said Tenth Day of *October* next; any Thing in any Act or Acts to the contrary in anywise notwithstanding.

but shall have neglected to cause the necessary Affidavits to be filed.

II. And be it further enacted, That in case any Action, Suit, Bill of Indictment or Information, shall, from and after the passing of this Act, be brought, carried on or prosecuted against any Person or Persons hereby meant or intended to be indemnified, recapacitated or restored, for or on account of any Forfeiture, Penalty, Incapacity or Disability whatsoever, incurred, or to be incurred by any such Neglect or Omission to enrol such Contracts or Indentures as aforesaid, such Person or Persons may plead the General Issue, and upon their Defence give this Act and the Special Matter in evidence upon any Trial to be had thereupon.

Persons indemnified may plead the General Issue.

III. And Whereas many Solicitors, Attornies, Writers to the Signet, Notaries, Proctors, Agents, Procurators and others in *Great Britain*, may have omitted to take out Annual Certificates, or to enter the same in the proper Office or Offices within the Time in which the same ought to have been done, by means whereof such Persons are rendered incapable to maintain or prosecute any Action or Suit in any Court of Law or Equity for the Recovery of any Fees or Disbursements on account of Business done without such Certificate: For relieving such Persons, be it enacted, That every Person in *Great Britain*, who shall have neglected to take out a Certificate at the Time and in the Manner by Law directed, and who at the Time of the passing of this Act, or before the Tenth Day of *October* One thousand eight hundred and twenty six, shall have regularly obtained a proper Certificate, duly stamped, shall be and is hereby rendered capable to maintain or prosecute any Action or Suit in any Court of Law or Equity for the recovering of any Fee, Reward or Disbursement, on account of prosecuting, carrying on or defending any Action, Suit or Proceeding, or any Matter or Thing relating thereto, without a proper Certificate; any Thing in an Act made in the Thirty seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for granting to His Majesty certain Stamp Duties on the several Matters therein mentioned, and for better securing the Duties on Certificates to be taken out by Solicitors,*

Attornies, &c. who may have omitted to take out annual Certificates rendered capable in certain Cases of suing for Fees, &c. notwithstanding 37 G.3. c.90. § 30.

Attornies

Attornies and others, practising in certain Courts of Justice in Great Britain, or in any other Act or Acts to the contrary in anywise notwithstanding.

Commissioners of Stamps prohibited from stamping any Articles of Clerkship, &c. after Six Months from the Date thereof.

1 & 2 G. 4.
c. 48. § 1.

Proviso for Persons who have taken a Degree at Oxford, Cambridge or Dublin, previous to the passing of recited Act, and have since duly served as a Clerk for Three Years.

IV. And be it further enacted, That it shall not be lawful for the Commissioners of Stamps, or any of their Officers to stamp, under any Pretence whatever, after the Expiration of Six Months from the Date thereof, any Vellum, Parchment or Paper, upon which shall be ingrossed, printed or written any Articles of Clerkship, Contract, Indenture or other Instrument whereby any Person shall become bound to serve as a Clerk or Apprentice, in order to his Admission as a Solicitor, Attorney, Proctor, Writer to the Signet, Agent or Procurator, in any of the Courts of Law or Equity, or the High Courts of Admiralty, or any Ecclesiastical Court, or the Courts of Session, Justiciary, Exchequer, Commission of Teinds, or the Commissary Court, or any inferior Court in *Great Britain*.

‘ V. And Whereas by an Act passed in the First and Second Years of the Reign of His present Majesty, intituled *An Act to amend the several Acts for the Regulation of Attornies and Solicitors*, it was enacted that certain Persons in the said Act mentioned, who had taken certain Degrees therein also mentioned at either of the Universities of *Oxford, Cambridge or Dublin*, should, after a Service of Three Years to a Solicitor or Attorney in the Manner by the said Act directed, be qualified to be admitted and inrolled an Attorney or Solicitor in the several Courts of Law or Equity; provided such Persons should have taken their Degree of Bachelor of Arts within Six Years next after their Matriculation at such Universities, or Bachelor of Law within Eight Years after their Matriculation at such Universities: And Whereas it is expedient that such Proviso should not apply to such Persons who had taken such Degrees previous to the passing of the said Act;’ Be it enacted, That every Person who shall have taken his Degree of Bachelor of Arts or Bachelor of Law at either of the said Universities, previous to the passing of the said recited Act, and who since the passing thereof shall have duly served as a Clerk, by Contract in Writing, duly stamped at or before the signing thereof, or within Six Months afterwards, to an Attorney or Solicitor, for the Term of three Years, as by the said recited Act is directed, shall be qualified to be sworn and to be admitted and enrolled as an Attorney or Solicitor respectively, according to the Nature of his Service, in the several and respective superior Courts of Law or Equity at *Westminster*, as fully and effectually, to all Intents and Purposes, as any Person having been bound and having served Five Years is qualified to be sworn and to be admitted or enrolled an Attorney or Solicitor under or by virtue of any Act or Acts now in force for the Regulation of Attornies or Solicitors in *England*; any Thing in the said Acts or any of them to the contrary thereof in anywise notwithstanding.

C A P. XLV.

An Act for repealing an Act passed in the Thirty ninth and Fortieth Years of the Reign of His late Majesty King George the Third, intituled *An Act for Relief of Persons entitled to Entailed Estates to be purchased with Trust Monies*, and for making further Provisions in lieu thereof.

[26th May 1826.]

‘ **W**HEREAS an Act was passed in the Thirty ninth and Fortieth 39 & 40 G.S.
 ‘ Years of the Reign of His late Majesty King George the c. 56.
 ‘ Third, intituled *An Act for Relief of Persons entitled to Entailed*
 ‘ *Estates to be purchased with Trust Monies*; and such Act has
 ‘ been of great public Benefit, but it has been found that the
 ‘ Provisions thereof do not apply to all Cases to which Relief to
 ‘ such Persons may reasonably be extended, and it is therefore
 ‘ expedient that the said Act should be repealed, except as herein-
 ‘ after mentioned, and that other Provisions should be made in
 ‘ lieu of those therein contained:’ Be it therefore enacted by the
 King’s most Excellent Majesty, by and with the Advice and Con-
 sent of the Lords Spiritual and Temporal, and Commons, in this
 present Parliament assembled, and by the Authority of the same,
 That the said Act shall be and the same is hereby repealed, except
 as to such Proceedings under the said Act as shall have been com-
 menced before the passing of this Act, and which may be continued
 under the Authority and according to the Provisions of the said
 Act or of this Act, as shall be most expedient.

repealed as
herein men-
tioned.

II. And be it further enacted, That from and after the passing
 of this Act, in all Cases where Money under the Controul of any
 Court of Equity, or of or to which any Individuals as Trustees are
 possessed or entitled, shall be subject to be invested in the Pur-
 chase of Freehold or Copyhold Hereditaments, or both, to be
 settled upon any Person or Persons in such Manner that it would
 be competent, in case such Money had been invested in the Pur-
 chase of Real Estates, for the Person or Persons who would be
 the Tenant or Tenants of any Estate or Estates Tail therein, either
 alone or together with the Person or Persons who would be the
 Owner or Owners of any particular preceding Estate or Estates
 therein, by Deed, Fine or Common Recovery, or any of them, or
 other lawful Act, in the case of Freehold Hereditaments, or by
 Surrender and Recovery, or either of them, or other lawful Act,
 in the Case of Copyhold Hereditaments, to bar such Estate or
 Estates Tail, and the Rights and Interests of all Persons in Re-
 mainder after such Estate or Estates Tail, it shall not be necessary
 to have such Money actually invested in Lands or Hereditaments,
 in order that such Estates Tail and Remainders over may be so
 barred; but that it shall be lawful for the High Court of Chancery,
 or such Court of Equity under the Controul of which such Money
 shall be, and in the Case of Trustees for the said High Court of
 Chancery or the Court of Exchequer, in a summary Way, upon
 Petition of the Person or Persons who would be Tenant or Tenants
 of such Estate or Estates Tail, and of the Person or Persons, if
 any, whose Concurrence would be necessary and sufficient in order
 to enable the Person or Persons who would be Tenant or Tenants
 of

Proviso where
Money, under
Controul of a
Court of Equi-
ty, shall be
subject to be
invested in
Purchase of
Freehold or
Copyhold Pro-
misses under
certain Settle-
ments as herein
mentioned.

Petition.

Proviso for
Cases of less
than 200*l*.

Description of
Persons Te-
nants in Tail,
&c. presenting
such Petitions.

of such Estate or Estates Tail to bar the same, and the Rights and Interests of all Persons in Remainder after such Estate or Estates Tail, such Petitioners being Adults, and where any of the Parties are or is Females Covert or a Female Covert, they or she being first separately examined in Court or upon a Commission, and consenting (except only in Cases where the Fund in which she or they shall be interested shall be less than Two hundred Pounds, in which Case such Consent shall not be required,) to make such Orders and Declarations as are hereinafter mentioned; that is to say, in case such Petition shall be presented by the Person or Persons who would at the Time of presenting the same be Tenant or Tenants in Tail in Possession of the Hereditaments to be purchased free from Incumbrances, or shall be presented by the Person or Persons who would at the Time of presenting such Petition be Tenant or Tenants of the first Estate or first Estates Tail, together with or with the Consent of the Person or Persons, if any, who would be Owner or Owners of the antecedent particular Estate or Estates, or who would be entitled to any Charge or Incumbrance antecedent to the Estate or Estates of such Tenant or Tenants in Tail, as the Case may be, to order the Money subject to such Trusts to be paid to the Petitioner or Petitioners, or any of them, or to be paid and applied in such Manner and for such Purposes as the Petitioners shall appoint and the Court shall approve of; and in case such Petition shall be presented by the Person or Persons who would at the Time of presenting the same be Tenant or Tenants in Tail in Possession of the Hereditaments to be purchased, but such Petition shall be presented without the Concurrence of all the Persons (if any) who would be entitled to any Charge or Incumbrance affecting the Hereditaments to be purchased antecedently to the Estate of such Tenant or Tenants in Tail, or shall be presented by the Person or Persons who would at the Time of presenting such Petition be Tenant or Tenants of some Estate or Estates Tail in the Hereditaments so to be purchased, together with or with the Consent of the Person or Persons (if any) whose Concurrence would be necessary and sufficient, in order to enable the Person or Persons who would be Tenant or Tenants of such Estate or Estates Tail, in case the said Hereditaments were purchased, to bar the said Estate or Estates Tail, and the Rights and Interests of all Persons in Remainder after such Estate or Estates Tail, but without the Concurrence of all the Persons who would be entitled to particular Estates in, or to Charges or Incumbrances upon, the said Hereditaments, antecedently to such Estate or Estates Tail, to declare that such Estate or Estates Tail, and all Remainders and Reversions expectant thereon, is and are absolutely barred, and to order that the Hereditaments to be purchased with the Money subjected to the said Trusts shall, when purchased, be settled (subject to the Uses, Trusts, Estates and Interests antecedent to such Estate or Estates Tail) to the Use of the Person or Persons who would have been entitled to such Estate or Estates Tail, his, her and their Heirs and Assigns; and every such Declaration and Order shall be binding and conclusive, not only the Person or Persons who would have been entitled to such Estate or Estates Tail, but also upon all Persons who could have claimed through or under such

Person or Persons by force only of such Entail, or in Remainder or Reversion after such Estate or Estates Tail.

III. And be it further enacted, That in all Cases where Monies subjected to be laid out in the Purchase of Hereditaments, to be settled as aforesaid, shall happen to be invested in Government or Real or other Securities, all such Securities shall for the Purposes of this Act be considered as Money, and shall and may accordingly be transferred, assigned and disposed of under an Order of the respective Courts aforesaid, made in a summary Way upon the Petition of such Persons, and with such Examination and Consent where necessary as aforesaid, in such and the same Manner as Monies subjected to be laid out in the Purchase of Hereditaments, to be settled as aforesaid, are hereinbefore authorized to be paid, applied and disposed of; and all Declarations and Orders to be made as to any such Securities shall be of equal Force and Validity with the Declarations and Orders hereinbefore authorized to be made, as to Money subjected to be laid out in the Purchase of Hereditaments to be settled as aforesaid.

Securities for such Money may be transferred under Order of Cou rt.

C A P. XLVI.

An Act for the better regulating Copartnerships of certain Bankers in *England*; and for amending so much of an Act of the Thirty ninth and Fortieth Years of the Reign of His late Majesty King *George the Third*, intituled *An Act for establishing an Agreement with the Governor and Company of the Bank of England, for advancing the Sum of Three Millions towards the Supply for the Service of the Year One thousand eight hundred*, as relates to the same.

[26th May 1826.]

• **W**HEREAS an Act was passed in the Thirty ninth and
 • Fortieth Years of the Reign of His late Majesty King
 • *George the Third*, intituled *An Act for establishing an Agree-*
 • *ment with the Governor and Company of the Bank of England,*
 • *for advancing the Sum of Three Millions towards the Supply for*
 • *the Service of the Year One thousand eight hundred: And*
 • Whereas it was, to prevent Doubts as to the Privilege of the
 • said Governor and Company, enacted and declared in the said
 • recited Act, that no other Bank should be erected, established
 • or allowed by Parliament; and that it should not be lawful for
 • any Body Politic or Corporate whatsoever, erected or to be
 • erected, or for any other Persons united or to be united in
 • Covenants or Partnership, exceeding the Number of Six Per-
 • sons, in that Part of *Great Britain* called *England*, to borrow,
 • owe or take up any Sum or Sums of Money on their Bills or
 • Notes payable on Demand, or at any less Time than Six Months
 • from the borrowing thereof, during the Continuance of the said
 • Privilege to the said Governor and Company, who were thereby
 • declared to be and remain a Corporation, with the Privilege of
 • Exclusive Banking, as before recited; but subject nevertheless
 • to Redemption on the Terms and Conditions in the said Act
 • specified: And Whereas the Governor and Company of the Bank
 • of *England* have consented to relinquish so much of their ex-
 • 7 GEO. IV. K clusive

39 & 40 G.3.
c.28.

§ 15.

In what Cases
and under what
Circumstances
and Conditions
Copartnerships
of more than
Six in Number
may carry on
Business as
Bankers in
England.

‘clusive Privilege as prohibits any Body Politic or Corporate, or any Number of Persons exceeding Six, in *England*, acting in Copartnership, from borrowing, owing or taking up any Sum or Sums of Money on their Bills or Notes payable on Demand, or at any less Time than Six Months from the borrowing thereof; provided that such Body Politic or Corporate, or Persons united in Covenants or Partnerships, exceeding the Number of Six Persons in each Copartnership, shall have the whole of their Banking Establishments and carry on their Business as Bankers at any Place or Places in *England* exceeding the Distance of Sixty five Miles from *London*, and that all the Individuals composing such Corporations or Copartnerships, carrying on such Business, shall be liable to and responsible for the due Payment of all Bills and Notes issued by such Corporations or Copartnerships respectively:’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lord Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall and may be lawful for any Bodies Politic or Corporate erected for the Purposes of Banking, or for any Number of Persons united in Covenants or Copartnership, although such Persons so united or carrying on Business together shall consist of more than Six in Number, to carry on the Trade or Business of Bankers in *England*, in like Manner as Copartnerships of Bankers consisting of not more than Six Persons in Number may lawfully do; and for such Bodies Politic or Corporate, or such Persons so united as aforesaid, to make and issue their Bills or Notes at any Place or Places in *England* exceeding the Distance of Sixty five Miles from *London*, payable on Demand, or otherwise at some Place or Places specified upon such Bills or Notes, exceeding the Distance of Sixty five Miles from *London* and not elsewhere, and to borrow, owe or take up any Sum or Sums of Money on their Bills or Notes so made and issued at any such Place or Places as aforesaid: Provided always, that such Corporations or Persons carrying on such Trade or Business of Bankers in Copartnership shall not have any House of Business or Establishment as Bankers in *London*, or at any Place or Places not exceeding the Distance of Sixty five Miles from *London*; and that every Member of any such Corporation or Copartnership shall be liable to and responsible for the due Payment of all Bills and Notes which shall be issued, and for all Sums of Money which shall be borrowed, owed or taken up by the Corporation or Copartnership of which such Person shall be a Member, such Person being a Member at the Period of the Date of the Bills or Notes, or becoming or being a Member before or at the Time of the Bills or Notes being payable, or being such Member at the Time of the borrowing, owing or taking up of any Sum or Sums of Money upon any Bills or Notes by the Corporation or Copartnership, or while any Sum of Money on any Bills or Notes is owing or unpaid, or at the Time the same became due from the Corporation or Copartnership; any Agreement, Covenant or Contract to the contrary notwithstanding.

This Act not
to authorize

II. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to enable
or

or authorize any such Corporation, or Copartnership exceeding the Number of Six Persons, so carrying on the Trade or Business of Bankers as aforesaid, either by any Member of or Person belonging to any such Corporation or Copartnership, or by any Agent or Agents, or any other Person or Persons on behalf of any such Corporation or Copartnership, to issue or re-issue in *London*, or at any Place or Places not exceeding the Distance of Sixty five Miles from *London*, any Bill or Note of such Corporation or Copartnership, which shall be payable to Bearer on Demand, or any Bank Post Bill; nor to draw upon any Partner or Agent, or other Person or Persons who may be resident in *London*, or at any Place or Places not exceeding the Distance of Sixty five Miles from *London*, any Bill of Exchange which shall be payable on Demand, or which shall be for a less Amount than Fifty Pounds: Provided also, that it shall be lawful, notwithstanding any Thing herein or in the said recited Act contained, for any such Corporation or Copartnership to draw any Bill of Exchange for any Sum of Money amounting to the Sum of Fifty Pounds or upwards, payable either in *London* or elsewhere, at any Period after Date or after Sight.

Copartnerships to issue, within the Limits mentioned, any Bills payable on Demand; nor to draw Bills upon any Partner, &c. so resident, for less than 50*l*.;

III. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to enable or authorize any such Corporation or Copartnership exceeding the Number of Six Persons, so carrying on the Trade or Business of Bankers in *England* as aforesaid, or any Member, Agent or Agents of any such Corporation or Copartnership, to borrow, owe or take up in *London* or at any Place or Places not exceeding the Distance of Sixty five Miles from *London* any Sum or Sums of Money on any Bill or Promissory Note of any such Corporation or Copartnership payable on Demand, or at any less Time than Six Months from the borrowing thereof, nor to make or issue any Bill or Bills of Exchange or Promissory Note or Notes of such Corporation or Copartnership contrary to the Provisions of the said recited Act of the Thirty ninth and Fortieth Years of King *George* the Third, save as provided by this Act in that Behalf: Provided also, that nothing herein contained shall extend or be construed to extend to prevent any such Corporation or Copartnership, by any Agent or Person authorized by them, from discounting in *London*, or elsewhere, any Bill or Bills of Exchange not drawn by or upon such Corporation or Copartnership, or by or upon any Person on their Behalf.

nor to borrow Money, or take up or issue Bills of Exchange, contrary to recited Act, except as herein provided.

IV. And be it further enacted, That before any such Corporation or Copartnership exceeding the Number of Six Persons, in *England*, shall begin to issue any Bills or Notes, or borrow, owe or take up any Money on their Bills or Notes, an Account or Return shall be made out, according to the Form contained in the Schedule marked (A) to this Act annexed, wherein shall be set forth the true Names, Title or Firm of such intended or existing Corporation or Copartnership, and also the Names and Places of Abode of all the Members of such Corporation or of all the Partners concerned or engaged in such Copartnership, as the same respectively shall appear on the Books of such Corporation or Copartnership, and the Name or Firm of every Bank or Banks established or to be established by such Corporation or Copart-

Such Copartnerships shall, before issuing any Notes, &c. deliver at Stamp Office in *London* an Account as herein mentioned.

nership, and also the Names and Places of Abode of Two or more Persons, being Members of such Corporation or Copartnership, and being resident in *England*, who shall have been appointed Public Officers of such Corporation or Copartnership, together with the Title of Office or other Description of every such Public Officer respectively, in the Name of any One of whom such Corporation shall sue and be sued as hereinafter provided, and also the Name of every Town and Place where any of the Bills or Notes of such Corporation or Copartnership shall be issued by any such Corporation or by their Agent or Agents; and every such Amount† or Return shall be delivered to the Commissioners of Stamps, at the Stamp Office in *London*, who shall cause the same to be filed and kept in the said Stamp Office, and an Entry and Registry thereof to be made in a Book or Books to be there kept for that Purpose by some Person or Persons to be appointed by the said Commissioners in that Behalf, and which Book or Books any Person or Persons shall from time to time have liberty to search and inspect on Payment of the Sum of One Shilling for every Search.

† *Sic*.

Account to be
filed, and may
be inspected.

Fee.

Account to be
verified by Sec-
retary or other
Public Officer
herein men-
tioned.

V. And be it further enacted, That such Account or Return shall be made out by the Secretary or other Person, being One of the Public Officers appointed as aforesaid, and shall be verified by the Oath of such Secretary or other Public Officer, taken before any Justice of the Peace, and which Oath any Justice of the Peace is hereby authorized and empowered to administer; and that such Account or Return shall, between the Twenty eighth Day of *February* and the Twenty fifth Day of *March* in every Year, after such Corporation or Copartnership shall be formed, be in like Manner delivered by such Secretary or other Public Officer as aforesaid, to the Commissioners of Stamps, to be filed and kept in the Manner and for the Purposes as hereinbefore mentioned.

Of what Mat-
ters certified
Copies of such
Returns to be
Evidence.

VI. And be it further enacted, That a Copy of any such Account or Return so filed or kept and registered at the Stamp Office, as by this Act is directed, and which Copy shall be certified to be a true Copy under the Hand or Hands of One or more of the Commissioners of Stamps for the Time being, upon Proof made that such Certificate has been signed with the Handwriting of the Person or Persons making the same, and whom it shall not be necessary to prove to be a Commissioner or Commissioners, shall in all Proceedings, Civil or Criminal, and in all Cases whatsoever, be received in Evidence as Proof of the Appointment and Authority of the Public Officers named in such Account or Return, and also of the Fact that all Persons named therein as Members of such Corporation or Copartnership were Members thereof at the Date of such Account or Return.

Commissioners
of Stamps to
give certified
Copies of Affi-
davits.

VII. And be it further enacted, That the said Commissioners of Stamps for the Time being shall and they are hereby required, upon Application made to them by any Person or Persons requiring a Copy certified according to this Act, of any such Account or Return as aforesaid, in order that the same may be produced in Evidence or for any other Purpose, to deliver to the Person or Persons so applying for the same such certified Copy, he, she or they paying for the same the Sum of Ten Shillings and no more.

Fee.

VIII. Pro-

VIII. Provided also, and be it further enacted, That the Secretary or other Officer of every such Corporation or Copartnership shall and he is hereby required, from time to time, as often as Occasion shall render it necessary, make out upon Oath, in Manner hereinbefore directed, and cause to be delivered to the Commissioners of Stamps as aforesaid, a further Account or Return according to the Form contained in the Schedule marked (B) to this Act annexed, of the Name or Names of any Person or Persons who shall have been nominated or appointed a new or additional Public Officer or Public Officers of such Corporation or Copartnership, and also of the Name or Names of any Person or Persons who shall have ceased to be Members of such Corporation or Copartnership, and also of the Name or Names of any Person or Persons who shall have become a Member or Members of such Corporation or Copartnership, either in addition to or in the Place or Stead of any former Member or Members thereof, and of the Name or Names of any new or additional Town or Towns, Place or Places, where such Bills or Notes are or are intended to be issued, and where the same are to be made payable; and such further Accounts or Returns shall from time to time be filed and kept, and entered and registered at the Stamp Office in *London*, in like Manner as is hereinbefore required with respect to the original or annual Account or Return hereinbefore directed to be made.

Account of
new Officers or
Members in the
Course of any
Year to be
made by such
Public Officers.

Such further
Accounts to be
filed.

IX. And be it further enacted, That all Actions and Suits, and also all Petitions to found any Commission of Bankruptcy against any Person or Persons, who may be at any Time indebted to any such Copartnership carrying on Business under the Provisions of this Act, and all Proceedings at Law or in Equity under any Commission of Bankruptcy, and all other Proceedings at Law or in Equity to be commenced or instituted for or on behalf of any such Copartnership against any Person or Persons, Bodies Politic or Corporate, or others, whether Members of such Copartnership or otherwise, for recovering any Debts or enforcing any Claims or Demands due to such Copartnership, or for any other Matter relating to the Concerns of such Copartnership, shall and lawfully may, from and after the passing of this Act, be commenced or instituted and prosecuted in the Name of any One of the Public Officers nominated as aforesaid for the Time being of such Copartnership, as the nominal Plaintiff or Petitioner for and on behalf of such Copartnership; and that all Actions or Suits, and Proceedings at Law or in Equity, to be commenced or instituted by any Person or Persons, Bodies Politic or Corporate, or others, whether Members of such Copartnership or otherwise, against such Copartnership, shall and lawfully may be commenced, instituted and prosecuted against any One or more of the Public Officers nominated as aforesaid for the Time being of such Copartnership, as the nominal Defendant for and on behalf of such Copartnership; and that all Indictments, Informations and Prosecutions by or on behalf of such Copartnership, for any Stealing or Embezzlement of any Money, Goods, Effects, Bills, Notes, Securities or other Property of or belonging to such Copartnership, or for any Fraud, Forgery, Crime or Offence committed against or with Intent to injure or defraud such Copartnership, shall and

Copartnerships
to sue and be
sued in the
Name of their
Public Officers.

How Forgeries,
&c. laid in
Indictments.

lawfully may be had, preferred and carried on in the Name of any One of the Public Officers nominated as aforesaid for the Time being of such Copartnership; and that in all Indictments and Informations to be had or preferred by or on behalf of such Copartnership against any Person or Persons whomsoever, notwithstanding such Person or Persons may happen to be a Member or Members of such Copartnership, it shall be lawful and sufficient to state the Money, Goods, Effects, Bills, Notes, Securities or other Property of such Copartnership, to be the Money, Goods, Effects, Bills, Notes, Securities or other Property of any One of the Public Officers nominated as aforesaid for the Time being of such Copartnership; and that any Forgery, Fraud, Crime or other Offence committed against or with Intent to injure or defraud any such Copartnership, shall and lawfully may in such Indictment or Indictments, notwithstanding as aforesaid, be laid or stated to have been committed against or with Intent to injure or defraud any One of the Public Officers nominated as aforesaid for the Time being of such Copartnership; and any Offender or Offenders may thereupon be lawfully convicted for any such Forgery, Fraud, Crime or Offence; and that in all other Allegations, Indictments, Informations or other Proceedings of any Kind whatsoever, in which it otherwise might or would have been necessary to state the Names of the Persons composing such Copartnership, it shall and may be lawful and sufficient to state the Name of any One of the Public Officers nominated as aforesaid for the Time being of such Copartnership; and the Death, Resignation, Removal or any Act of such Public Officer, shall not abate or prejudice any such Action, Suit, Indictment, Information, Prosecution or other Proceeding commenced against or by or on behalf of such Copartnership, but the same may be continued, prosecuted and carried on in the Name of any other of the Public Officers of such Copartnership for the Time being.

Not more than
One Action for
the Recovery of
One Demand.

X. And be it further enacted, That no Person or Persons, or Body or Bodies Politic or Corporate, having or claiming to have any Demand upon or against any such Corporation or Copartnership, shall bring more than One Action or Suit, in case the Merits shall have been tried in such Action or Suit, in respect of such Demand; and the Proceedings in any Action or Suit, by or against any One of the Public Officers nominated as aforesaid for the Time being of any such Copartnership, may be pleaded in bar of any other Action or Actions, Suit or Suits, for the same Demand, by or against any other of the Public Officers of such Copartnership.

Decrees of a
Court of Equity
against Public
Officer to take
effect against
Copartnership.

XI. And be it further enacted, That all and every Decree or Decrees, Order or Orders, made or pronounced in any Suit or Proceeding in any Court of Equity against any Public Officer of any such Copartnership carrying on Business under the Provisions of this Act, shall have the like Effect and Operation upon and against the Property and Funds of such Copartnership, and upon and against the Persons and Property of every or any Member or Members thereof, as if every or any such Members of such Copartnership were Parties Members before the Court to and in any such Suit or Proceeding; and that it shall and may be lawful for any Court in which such Order or Decree shall have been made, to cause such Order and Decree to be enforced against every or any

any Member of such Copartnership, in like Manner as if every Member of such Copartnership were Parties before such Court to and in such Suit or Proceeding, and although all such Members are not before the Court.

XII. And be it further enacted, That all and every Judgment and Judgments, Decree or Decrees, which shall at any Time after the passing of this Act be had or recovered or entered up as aforesaid, in any Action, Suit or Proceedings in Law or Equity against any Public Officer of any such Copartnership, shall have the like Effect and Operation upon and against the Property of such Copartnership, and upon and against the Property of every such Member thereof as aforesaid, as if such Judgment or Judgments had been recovered or obtained against such Copartnership; and that the Bankruptcy, Insolvency or stopping Payment of any such Public Officer for the Time being of such Copartnership, in his individual Character or Capacity, shall not be nor be construed to be the Bankruptcy, Insolvency or stopping Payment of such Copartnership; and that such Copartnership and every Member thereof, and the Capital Stock and Effects of such Copartnership, and the Effects of every Member of such Copartnership, shall in all Cases, notwithstanding the Bankruptcy, Insolvency or stopping Payment of any such Public Officer, be attached and attachable, and be in all Respects liable to the lawful Claims and Demands of the Creditor and Creditors of such Copartnership, or of any Member or Members thereof, as if no such Bankruptcy, Insolvency or stopping Payment of such Public Officer of such Copartnership had happened or taken place.

Judgments
against such
Public Officer
to operate
against Co-
partnership.

XIII. And be it further enacted, That Execution upon any Judgment in any Action obtained against any Public Officer for the Time being of any such Corporation or Copartnership carrying on the Business of Banking under the Provisions of this Act, whether as Plaintiff or Defendant, may be issued against any Member or Members for the Time being of such Corporation or Copartnership; and that in case any such Execution against any Member or Members for the Time being of any such Corporation or Copartnership shall be ineffectual for obtaining Payment and Satisfaction of the Amount of such Judgment, it shall be lawful for the Party or Parties so having obtained Judgment against such Public Officer for the Time being to issue Execution against any Person or Persons who was or were a Member or Members of such Corporation or Copartnership at the Time when the Contract or Contracts or Engagement or Engagements in which such Judgment may have been obtained was or were entered into, or became a Member at any Time before such Contracts or Engagements were executed, or was a Member at the Time of the Judgment obtained: Provided always, that no such Execution as last mentioned shall be issued without Leave first granted, on Motion in open Court, by the Court in which such Judgment shall have been obtained, and when Motion shall be made on Notice to the Person or Persons sought to be charged, nor after the Expiration of Three Years next after any such Person or Persons shall have ceased to be a Member or Members of such Corporation or Copartnership.

Execution
upon Judgment
may be
issued against
any Member
the Copartner-
ship.

Upon Motion
on Notice.

Limitation of
Time.

Officer, &c.
in such Cases
indemnified.

XIV. Provided always, and be it further enacted, That every such Public Officer in whose Name any such Suit or Action shall have been commenced, prosecuted or defended, and every Person or Persons against whom Execution upon any Judgment obtained or entered up as aforesaid in any such Action shall be issued as aforesaid, shall always be reimbursed and fully indemnified for all Loss, Damages, Costs and Charges, without Deduction, which any such Officer or Person may have incurred by reason of such Execution, out of the Funds of such Copartnership, or in Failure thereof, by Contribution from the other Members of such Copartnership, as in the ordinary Cases of Copartnership.

XV. And to prevent any Doubts that might arise whether the said Governor and Company, under and by virtue of their Charter, and the several Acts of Parliament which have been made and passed in relation to the Affairs of the said Governor and Company, can lawfully carry on the Trade or Business of Banking, otherwise than under the immediate Order, Management and Direction of the Court of Directors of the said Governor and Company; Be it therefore enacted, That it shall and may be lawful for the said Governor and Company to authorize and empower any Committee or Committees, Agent or Agents, to carry on the Trade and Business of Banking, for and on behalf of the said Governor and Company, at any Place or Places in that Part of the United Kingdom called *England*, and for that Purpose to invest such Committee or Committees, Agent or Agents, with such Powers of Management and Superintendence, and such Authority to appoint Cashiers and other Officers and Servants as may be necessary or convenient for carrying on such Trade and Business as aforesaid; and for the same Purpose to issue to such Committee or Committees, Agent or Agents, Cashier or Cashiers, or other Officer or Officers, Servant or Servants, Cash, Bills of Exchange, Bank Post Bills, Bank Notes, Promissory Notes and other Securities for Payment of Money: Provided always, that all such Acts of the said Governor and Company shall be done and exercised in such Manner as may be appointed by any Bye Laws, Constitutions, Orders, Rules and Directions from time to time hereafter to be made by the General Court of the said Governor and Company in that Behalf, such Bye Laws not being repugnant to the Laws of that Part of the United Kingdom called *England*; and in all Cases where such Bye Laws, Constitutions, Orders, Rules or Directions of the said General Court shall be wanting, in such Manner as the Governor, Deputy Governor and Directors, or the major Part of them assembled, whereof the said Governor or Deputy Governor is always to be One, shall or may direct, such Directions not being repugnant to the Laws of that Part of the United Kingdom called *England*; any Thing in the said Charter or Acts of Parliament, or other Law, Usage, Matter or Thing to the contrary thereof notwithstanding: Provided always, that in any Place where the Trade and Business of Banking shall be carried on for and on behalf of the said Governor and Company of the Bank of *England*, any Promissory Note issued on their Account in such Place shall be made payable in Coin in such Place as well as in *London*.

Governor and
Company of
Bank of Eng-
land may em-
power Agents
to carry on
Banking Busi-
ness at any
Place in Eng-
land.

Such Acts to
be exercised as
appointed by
Bye Laws, &c.
of the Bank.

Proviso for
Payment of
Notes in Coin.

XVI. And

XVI. And be it further enacted, That if any Corporation or Copartnership carrying on the Trade or Business of Bankers under the Authority of this Act shall be desirous of issuing and re-issuing Notes in the Nature of Bank Notes, payable to the Bearer on Demand, without the same being stamped as by Law is required, it shall be lawful for them so to do on giving Security by Bond to His Majesty, His Heirs and Successors, in which Bond Two of the Directors, Members or Partners of such Corporation or Copartnership shall be the Obligors, together with the Cashier or Cashiers or Accountant or Accountants employed by such Corporation or Copartnership, as the said Commissioners of Stamps shall require; and such Bonds shall be taken in such reasonable Sums as the Duties may amount unto during the Period of One Year, with Condition to deliver to the said Commissioners of Stamps, within Fourteen Days after the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July* and the Tenth Day of *October* in every Year, whilst the present Stamp Duties shall remain in force, a just and true Account, verified upon the Oaths or Affirmations of Two Directors, Members or Partners of such Corporation or Copartnership, and of the said Cashier or Cashiers, Accountant or Accountants, or such of them as the said Commissioners of Stamps shall require, such Oaths or Affirmations to be taken before any Justice of the Peace, and which Oaths or Affirmations any Justice of the Peace is hereby authorized and empowered to administer, of the Amount or Value of all their Promissory Notes in Circulation on some given Day in every Week, for the Space of One Quarter of a Year prior to the Quarter Day immediately preceding the Delivery of such Account, together with the Average Amount or Value thereof according to such Account; and also to pay or cause to be paid into the Hands of the Receivers General of Stamp Duties in *Great Britain*, as a Composition for the Duties which would otherwise have been payable for such Promissory Notes issued within the Space of One Year, the Sum of Seven Shillings for every One hundred Pounds, and also for the Fractional Part of One hundred Pounds of the said Average Amount or Value of such Notes in Circulation, according to the true Intent and Meaning of this Act; and on due Performance thereof such Bond shall be void; and it shall be lawful for the said Commissioners to fix the Time or Times of making such Payment, and to specify the same in the Condition to every such Bond; and every such Bond may be required to be renewed from time to time, at the Discretion of the said Commissioners or the major Part of them, and as often as the same shall be forfeited, or the Party or Parties to the same, or any of them, shall die, become bankrupt or insolvent, or reside in Parts beyond the Seas.

Copartnerships may issue unstamped Notes, on giving Bond as herein mentioned.

Condition of such Bonds.

Proviso for Renewal of such Bonds.

XVII. Provided always, and be it further enacted, That no such Corporation or Copartnership shall be obliged to take out more than Four Licences for the issuing of any Promissory Notes for Money payable to the Bearer on Demand, allowed by Law to be re-issued in all for any Number of Towns or Places in *England*; and in case any such Corporation or Copartnership shall issue such Promissory Notes as aforesaid, by themselves or their Agents, at more than Four different Towns or Places in *England*, then after taking out Three distinct Licences for three of such Towns or Places,

No Corporation compelled to take out more Licences than herein mentioned.

Places, such Corporation or Copartnership shall be entitled to have all the rest of such Towns or Places included in a Fourth Licence.

Copartnership
neglecting to
send Returns.

XVIII. And be it further enacted, That if any such Corporation or Copartnership exceeding the Number of Six Persons in *England* shall begin to issue any Bills or Notes, or to borrow, owe or take up any Money on their Bills or Notes, without having caused such Account or Return as aforesaid to be made out and delivered in the Manner and Form directed by this Act, or shall neglect or omit to cause such Account or Return to be renewed yearly and every Year, between the Days or Times hereinbefore appointed for that Purpose, such Corporation or Copartnership so offending shall, for each and every Week they shall so neglect to make such Account and Return, forfeit the Sum of Five hundred Pounds; and if any Secretary or other Officer of such Corporation or Copartnership shall make out or sign any false Account or Return, or any Account or Return which shall not truly set forth all the several Particulars by this Act required to be contained or inserted in such Account or Return, the Corporation or Copartnership to which such Secretary or other Officer so offending shall belong shall for every such Offence forfeit the Sum of Five hundred Pounds, and the said Secretary or other Officer so offending shall also for every such Offence forfeit the Sum of One hundred Pounds; and if any such Secretary or other Officer making out or signing any such Account or Return as aforesaid shall knowingly and wilfully make a false Oath of or concerning any of the Matters to be therein specified and set forth, every such Secretary or other Officer so offending, and being thereof lawfully convicted, shall be subject and liable to such Pains and Penalties as by any Law now in force Persons convicted of wilful and corrupt Perjury are subject and liable to.

Penalty.

False or incom-
plete Returns.

Penalty.

Perjury.

Copartnership
issuing Bills
payable on De-
mand;

or drawing
Bills of Ex-
change payable
on Demand,
or for less than
50*l*. ;
or borrowing
Money on
Bills, except as
herein pro-
vided;

or issuing Bills
contrary to
39 & 40 G. 3.
c. 28.

XIX. And be it further enacted, That if any such Corporation or Copartnership exceeding the Number of Six Persons, so carrying on the Trade or Business of Bankers as aforesaid, shall, either by any Member of or Person belonging to any such Corporation or Copartnership, or by any Agent or Agents, or any other Person or Persons on behalf of any such Corporation or Copartnership, issue or re-issue in *London*, or at any Place or Places not exceeding the Distance of Sixty five Miles from *London*, any Bill or Note of such Corporation or Copartnership which shall be payable on Demand; or shall draw upon any Partner or Agent, or other Person or Persons who may be resident in *London*, or at any Place or Places not exceeding the Distance of Sixty five Miles from *London*, any Bill of Exchange which shall be payable on Demand, or which shall be for a less Amount than Fifty Pounds; or if any such Corporation or Copartnership exceeding the Number of Six Persons, so carrying on the Trade or Business of Bankers in *England* as aforesaid, or any Member, Agent or Agents of any such Corporation or Copartnership, shall borrow, owe or take up in *London*, or at any Place or Places not exceeding the Distance of Sixty five miles from *London*, any Sum or Sums of Money on any Bill or Promissory Note of any such Corporation or Copartnership payable on Demand, or at any less Time than Six Months from the borrowing thereof, or shall make or issue any Bill or Bills of Exchange or Promissory Note or Notes of such Corporation

Corporation or Copartnership contrary to the Provisions of the said recited Act of the Thirty ninth and Fortieth Years of King *George the Third*, save as provided by this Act, such Corporation or Copartnership ~~as~~ offending or on whose Account or Behalf any such Offence as aforesaid shall be committed, shall for every such Offence forfeit the Sum of Fifty Pounds.

Penalty.

XX. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice, alter or affect any of the Rights, Powers or Privileges of the said Governor and Company of the Bank of *England*; except as the said exclusive Privilege of the said Governor and Company is by this Act specially altered and varied.

Proviso for "Rights of Bank of England."

XXI. And be it further enacted, That all pecuniary Penalties and Forfeitures imposed by this Act shall and may be sued for and recovered in His Majesty's Court of Exchequer at *Westminster*, in the same Manner as Penalties incurred under any Act or Acts relating to Stamp Duties may be sued for and recovered in such Court.

Penalties how recovered.

XXII. And be it further enacted, That this Act may be altered, amended or repealed by any Act or Acts to be passed in this present Session of Parliament.

Act may be altered, &c. this Session.

SCHEDULES referred to by this Act.

SCHEDULE (A).

RETURN or Account to be entered at the Stamp Office in London, in pursuance of an Act passed in the Seventh Year of the Reign of King *George the Fourth*, intituled [*here insert the Title of this Act*], viz.

Firm or Name of the Banking Corporation or Copartnership, viz. [*set forth the Firm or Name.*]

Names and Places of Abode of all the Partners concerned or engaged in such Corporation or Copartnership, viz. [*set forth all the Names and Places of Abode.*]

Names and Places of the Bank or Banks established by such Corporation or Copartnership, viz. [*set forth all the Names and Places.*]

Names and Descriptions of the Public Officers of the said Banking Corporation or Copartnership, viz. [*set forth all the Names and Descriptions.*]

Names of the several Towns and Places where the Bills or Notes of the said Banking Corporation or Copartnership are to be issued by the said Corporation or Copartnership or their Agent or Agents, viz. [*set forth the Names of all the Towns and Places.*]

A.B. of

Secretary [*or other Officer, describing the Office,*] of the above Corporation or Copartnership, maketh Oath and saith, That the above doth contain the Name, Style and Firm of the above Corporation or Copartnership, and the Names and Places of the Abode of the several Members thereof, and of the Banks established by the said Corporation or Copartnership, and the Names,
Titles

Titles and Descriptions of the Public Officers of the said Corporation or Copartnership, and the Names of the Towns and Places where the Notes of the said Corporation or Copartnership are to be issued, as the same respectively appear in the Books of the said Corporation or Copartnership, and to the best of the Information, Knowledge and Belief of this Deponent.

Sworn before me, the _____ Day of _____ at _____
in the County of _____
C. D. Justice of the Peace in and for the said County.

SCHEDULE (B).

RETURN or Account, to be entered at the Stamp Office in London, on behalf of [*name the Corporation or Copartnership*], in pursuance of an Act passed in the Seventh Year of the Reign of King George the Fourth, intituled [*insert the Title of this Act*], viz.

Names of any and every new or additional Public Officer of the said Corporation or Copartnership; viz. A. B. in the Room of C. D. deceased or removed [as the Case may be] [set forth every Name].

Names of any and every Person who may have ceased to be a Member of such Corporation or Copartnership; viz. [set forth every Name.]

Names of any and every Person who may have become a new Member of such Corporation or Copartnership [*set forth every Name*].

Names of any additional Towns or Places where Bills or Notes are to be issued, and where the same are to be made payable:

A. B. of Secretary [or other Officer] of the above named Corporation or Copartnership, maketh Oath and saith, That the above doth contain the Name and Place of Abode of any and every Person who hath become or been appointed a Public Officer of the above Corporation or Copartnership, and also the Name and Place of Abode of any and every Person who hath ceased to be a Member of the said Corporation or Copartnership, and of any and every Person who hath become a Member of the said Copartnership since the Registry of the said Corporation or Copartnership on the _____ Day of _____ last, as the same respectively appear on the Books of the said Corporation or Copartnership, and to the best of the Information, Knowledge and Belief of this Deponent.

Sworn before me, the _____ Day of _____ at _____
in the County of _____
C. D. Justice of the Peace in and for the said County.

C A P. XLVII.

An Act to allow, until the Fifth Day of *April* One thousand eight hundred and thirty, certain Bounties on the Exportation from *Ireland* of Salmon, Red Herrings and Dried Sprats.

[26th May 1826.]

WHEREAS it is expedient to grant and allow certain Bounties on the Exportation from *Ireland* of Salmon, Red Herrings and Dried Sprats, for the Terms and Periods herein-after specified: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the several and respective Bounties hereinafter mentioned shall be granted and allowed; that is to say,

Certain Bounties granted on Exportation from Ireland of Salmon:

For every Barrel of Salmon containing Forty two Gallons, which shall have been or shall be exported from *Ireland* to Foreign Parts at any Time in the Year ending on the Fifth Day of *July* One thousand eight hundred and twenty six, a Bounty of Four Shillings and Sixpence; and in the Year ending on the Fifth Day of *July* One thousand eight hundred and twenty seven, a Bounty of Three Shillings and Sixpence; and in the Year ending on the Fifth Day of *July* One thousand eight hundred and twenty eight, a Bounty of Two Shillings and Sixpence; and from and after the Fifth Day of *July* One thousand eight hundred and twenty eight, until the Fifth Day of *April* One thousand eight hundred and thirty, a Bounty of One Shilling and Sixpence:

For every Barrel of full Red Herrings containing Thirty two Gallons, which shall have been or shall be so exported in the Year ending on the Fifth Day of *July* One thousand eight hundred and twenty six, a Bounty of One Shilling and Nine Pence; and in the Year ending on the Fifth Day of *July* One thousand eight hundred and twenty seven, a Bounty of One Shilling and Sixpence; and from and after the Fifth Day of *July* One thousand eight hundred and twenty seven, until the Fifth Day of *April* One thousand eight hundred and thirty, a Bounty of One Shilling:

Red Herrings:

For every Barrel of clean shotten Red Herrings containing Thirty two Gallons, which shall have been or shall be so exported in the Year ending on the Fifth Day of *July* One thousand eight hundred and twenty six, a Bounty of One Shilling; and from and after the Fifth Day of *July* One thousand eight hundred and twenty six, until the Fifth Day of *April* One thousand eight hundred and thirty, a Bounty of Sixpence:

Shotten Red Herrings:

For every Last consisting of Ten thousand Dried Red Sprats, which shall have been or shall be so exported in the Year ending on the Fifth Day of *July* One thousand eight hundred and twenty six, a Bounty of One Shilling; and from and after the Fifth Day of *July* One thousand eight hundred and twenty six, until the Fifth Day of *April* One thousand eight hundred and thirty, a Bounty of Sixpence:

Red Sprats:

And

until 5th April,
1830.

Bounties
under this Act
paid as other
Bounties of the
like Nature.
59 G. 3. c. 109.

And all the said Bounties respectively shall cease and determine on the Fifth Day of *April* One thousand eight hundred and thirty.

II. And be it further enacted, That the Bounties by this Act granted, continued and made payable, shall be paid in such Manner and under such Directions and subject to such Rules, Regulations and Restrictions in all Respects, as Bounties of the like Nature relating to the *British* or *Irish* Fisheries, and under such other Orders, Rules, Regulations and Directions as shall and may be made for the Payment of such Bounties by the Commissioners of the *Irish* Fisheries appointed under an Act of the Fifty ninth Year of His late Majesty, intituled *An Act for the Encouragement and Improvement of the Irish Fisheries*.

C A P. XLVIII.

An Act to alter and amend the several Laws relating to the Customs.
[26th May 1826.]

6 G. 4. cc. 104,
105, 106, 107.

Commence-
ment of Act.

Management.

6 G. 4. c. 106.

Signature of
Two Commis-
sioners suffi-
cient without
Seals.

Duties of Offi-
cers performed
by Persons and
at Places ap-
pointed by
Commissioners.

‘ WHEREAS several Acts were passed in the last Session of Parliament for consolidating the Laws of the Customs, and it has been found necessary to make certain Alterations and Amendments therein; Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifth Day of *July* One thousand eight hundred and twenty six the same shall come into and be and continue in full Force and Operation for all the Purposes mentioned therein.

‘ II. And Whereas an Act was passed in the last Session of Parliament, intituled *An Act for the Management of the Customs*; and it is expedient to alter and amend the same in Manner hereinafter provided; Be it therefore enacted, That every Order, Document, Instrument or Writing required by any Law, at any Time in force, to be under the Hands and Seals of the Commissioners of His Majesty’s Customs, which shall be signed by Two or more Commissioners or Assistant Commissioners of the Customs, shall be deemed to be an Order, Document, Instrument or Writing under the Hands and Seals of the Commissioners of His Majesty’s Customs, within the Meaning of such Law.

III. And be it further enacted, That every Act, Matter or Thing required by any Law, at any Time in force, to be done or performed by, to or with any particular Officer, nominated in such Law for such Purpose, being done or performed by, to or with any Person appointed by the Commissioners of His Majesty’s Customs to act for or in behalf of such particular Officer, the same shall be deemed to be done or performed by, to or with such particular Officer; and that every Act, Matter or Thing required by any Law, at any Time in force, to be done or performed at any particular Place within any Port, being done or performed at any Place within such Port appointed by the Commissioners of His Majesty’s Customs for such Purpose, the same shall be deemed to be done or performed at the particular Place so required by Law.

‘ IV. And

‘ IV. And Whereas another Act was passed in the last Session of Parliament, intituled *An Act for the general Regulation of the Customs*; and it is expedient to alter and amend the same in Manner hereinafter provided;’ Be it therefore enacted, That so much of the said Act as requires that the Master of every *British Ship* arriving at any Port in the United Kingdom, on her Return from any *British Possession in America*, shall deliver upon Oath to the Collector or Controller a certain List of the Crew of such Ship, shall apply only to Ships so arriving on their Return from the *West Indies*.

Regulation.

6 G. 4. c. 107.

List of Crews
of Ships from
West Indies.

‘ V. And Whereas by the said Act for the general Regulation of the Customs it is enacted, that no Goods shall be unladen from any Ship arriving from Parts beyond the Seas before due Entry of such Goods shall have been made; and that no Entry for the landing of any Goods shall be valid, unless made in Manner therein directed; and that any Goods taken or delivered out of any Ship, by virtue of any Entry not so made, shall be deemed to be Goods landed without due Entry thereof, and shall be forfeited: And Whereas Provision is nevertheless made for the landing of Goods in certain Cases by Bill of Sight, for Examination by the Importer, in Presence of the proper Officers, prior to his making a perfect Entry for the same;’ Be it therefore enacted, That such Goods, although landed by Bill of Sight, shall not be deemed to be landed, or to be delivered out of the Ship within the Meaning of the said Act, except in virtue of such perfect Entry when the same shall have been made; and that if such perfect Entry be not made in Manner required by the said Act for the landing of Goods as hereinbefore mentioned, such Goods shall then be deemed to be Goods landed without due Entry thereof, and shall be forfeited.

§ 23.

Perfect Entry
after Bill of
Sight.

VI. And be it further enacted, That so much of the said Act made for the general Regulation of the Customs as prohibits the Importation of any Spirits on account of the Strength thereof, and also so much of the said Act as prohibits the Importation of Beef, Pork or Bacon, to be warehoused for Exportation only, shall be and the same is hereby repealed; and also so much of the said Act as restricts in any Way the Importation of Bonnets, Hats or Plating of Bast or Straw, Chip, Cane or Horse Hair, and also of Cambrics or Lawns, and also of Coffee, and also of Or Molu, and also of China Ware or Porcelain, not being the Produce of Places within the Limits of the *East India Company's Charter*, and also any Tobacco made up in Rolls, being the Produce of and imported from the State of *Columbia*, and in Packages containing at least Three hundred and twenty Pounds Weight of such Rolls of Tobacco, shall be and the same is hereby repealed.

in part repealed.

‘ VII. And Whereas it is expedient to subject the Importation of Gloves to certain Restrictions;’ Be it therefore enacted, That it shall not be lawful to import any Leather Gloves into any Port other than the Port of *London*, until after the Fifth Day of *July* One thousand eight hundred and twenty seven, nor unless in Packages each of which shall contain One hundred Dozen Pairs of such Gloves at least, nor unless in Ships of the Burthen of *Seventy Tons* or upwards; and that such Restrictions shall be complied

Gloves only to
be imported
into Port of
London till 5th
July 1827.
6 G. 4. c. 107.

Regulation.

complied with and enforced in like Manner as if the same were set forth in a Table denominated "A Table of Prohibitions and Restrictions Inwards," contained in the said Act for the Regulation of the Customs.

Stamps on
Bonds for
Plate exported.

VIII. And be it further enacted, That all Bonds given to prevent the relanding of Plate, in respect of which any Drawback shall be allowed upon the Exportation thereof, shall be liable only to the same Duties of Stamps as any Bonds given for or in respect of the Duties of Customs, or for preventing Frauds or Evasions thereof, are or shall be liable to under any Act for the Time being in force for granting Duties of Stamps.

Treasury or
Customs may
fix Rate of
Rent in the
King's Ware-
house.

IX. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, or the Commissioners of His Majesty's Customs, by Warrant or Order under their Hands respectively, to fix the Amount of Warehouse Rent to be paid for any Goods taken to and secured in any of the King's Warehouses in the United Kingdom, or in the *Isle of Man*, for the Security of the Duties thereon, or to prevent the same from coming into Home Use.

Coast Duty ad
valorem.

X. And be it further enacted, That if any Goods brought Coastwise be subject to Duty according to the Value thereof, such Value shall be ascertained in the same Manner and under the same Regulations and Conditions as is and are directed in the said Act in respect of Goods imported from Foreign Parts.

Drawback on
Exportation of
Coffee imported
into Isle of
Man.

XI. And be it further enacted, That it shall be lawful to export from the United Kingdom to the *Isle of Man* and to import into the *Isle of Man* direct from the United Kingdom, without the Licence of the Commissioners of the Customs, any Quantity of Coffee of the *British* Plantations upon which the Duty payable in the United Kingdom shall have been paid; and that a Drawback of Four Pence for every Pound of such Coffee shall be allowed upon the Exportation thereof.

Smuggling.

6 G.4. c.108.
Licences, for
what Vessels
required.

XII. And Whereas another Act was passed in the last Session of Parliament, intituled *An Act for the Prevention of Smuggling*; and it is expedient to alter and amend the same in Manner 'hereinafter provided;' Be it therefore enacted, That no Licence (except a Licence for arming) shall be required under the said Act for any Ship or Vessel which is of the Burthen of Two hundred Tons or upwards, nor for any Square rigged Ship or Vessel, or any Ship, Vessel or Boat propelled by Steam, which is not of greater Length than in the Proportion of Three Feet Six Inches to One Foot of Breadth; and that no greater or other Security shall be required on account of any Licence to be issued under the said Act, than in the Sum of One thousand Pounds, or in the single Value of the Vessel or Boat for which such Licence is to be issued, if such Value be less than One thousand Pounds, and by the sole Bond of such Owner or Owners of such Vessel or Boat: Provided always, that if any such Bond shall be taken of the Owner of any Boat who shall not have attained the age of Twenty one Years, such Bond shall nevertheless be valid and effectual to all Intents and Purposes; any Thing in any Act, or in any Law, Custom or Usage to the contrary notwithstanding.

Licence Bond.

Bonds of
Minors being
Owners of
Boats valid.

XIII. And

XIII. And be it further enacted, That no Bond given on account of the Licence of any Vessel or Boat, under the said Act for the Prevention of Smuggling, shall be cancelled until the Space of Twelve Months after the Licence for which such Bond had been entered into shall have been delivered up to the proper Officer of the Customs; and such Bond shall remain in full force and effect for the Time of Twelve Months after the delivering of the Licence as aforesaid, unless fresh Security shall be given for such Vessel or Boat.

Smuggling.

Licence Bond
not to be cancelled for 12
Months.

XIV. And be it further enacted, That in case any Vessel shall, on account of any Goods, become liable to Forfeiture under the said Act for the Prevention of Smuggling, the Goods creating such Forfeiture shall also be forfeited.

Goods forfeited
with Vessel.

XV. And Whereas by the said Act for the Prevention of Smuggling it is enacted, that if any Foreign Vessel shall, in certain Cases therein described, be found within One League of the Coast of the United Kingdom, such Vessel shall be forfeited; Be it therefore enacted, That the like Forfeiture shall, in similar Cases, attach equally to any Foreign Boat, as fully and effectually as if in the said Act such Forfeiture had been made to attach to any Foreign Vessel or Boat.

6 G.4. c.108.
\$ 5.

In what case
Foreign Boat
forfeited as Foreign Vessel
would be.

XVI. And be it further enacted, That if any Vessel or Boat whatever shall arrive or shall be found or discovered to have been within any Port, Harbour, River or Creek of the United Kingdom, not being driven therein by Stress of Weather or other unavoidable Accident, having on board, or in any Manner attached or affixed thereto, or having had on board, or in any Manner attached or affixed thereto, or conveying, or having conveyed in any Manner, within any such Port, Harbour, River or Creek, any Brandy or other Spirits, except Rum, in any Cask or Package of less Size or Content than Forty Gallons, except only for the Use of the Seamen then belonging to and on board such Vessel or Boat not exceeding Two Gallons for each Seaman, or any Tobacco or Snuff in any Cask or Package in which such Tobacco or Snuff could not be legally imported into the United Kingdom in such Vessel, (except loose Tobacco for the Use of the Seamen, not exceeding Five Pounds Weight for each Seaman,) every such Vessel or Boat, together with such Spirits or Tobacco, shall be forfeited; and every Person found or discovered to have been on board such Vessel or Boat, at the Time of her becoming so liable to Forfeiture, and knowing such Spirits or Tobacco to be or to have been on board, or attached to such Vessel or Boat, shall forfeit the Sum of One hundred Pounds, and shall be liable to Detention and Prosecution, and to be dealt with in the Manner directed by the said Act for the Prevention of Smuggling, in Cases of Persons found or discovered to have been on board Vessels liable to Forfeiture under that Act: Provided always, that if it shall be made appear by Proof on Oath, to the Satisfaction of the Commissioners of His Majesty's Customs, that the said Spirits or Tobacco were on board without the Knowledge or Privy of the Owner or Master of such Vessel or Boat, and without any wilful Neglect or Want of reasonable Care on their or either of their Behalves, that then and in such Case the Vessel or Boat shall not be liable to Forfeiture, although the Persons concerned in placing the

Vessels or
Boats arriving
in Port with
Spirits or Tobacco in small
Packages (Exception) forfeited.

Persons found
on board knowing
thereof.

Penalty.

Proviso where
such Goods on
board without
Knowledge of
Owner of
Vessel.

Smuggling.

In what case
Writ of Cer-
tiorari, &c. not
to be granted.

the said Spirits or Tobacco on board, or knowing thereof, shall be liable to Detention and Prosecution as aforesaid.

XVII. And be it further enacted, That no Writ of Certiorari shall issue from His Majesty's Court of King's Bench to remove any Proceedings before any Justice or Justices of the Peace under any Act for the Prevention of Smuggling, or relating to the Revenue of the Customs; nor shall any Writ of Habeas Corpus issue to bring up the Body of any Person who shall have been convicted before any Justice or Justices of the Peace under any such Act, unless the Party against whom such Proceedings shall have been directed, or who shall have been so convicted, or his Attorney or Agent, shall state, in an Affidavit in Writing, to be duly sworn, the Grounds of Objection to such Proceedings or Conviction; and that upon the Return to such Writ of Certiorari or Habeas Corpus no Objection shall be taken or considered other than such as shall have been stated in such Affidavit; and that it shall be lawful for any Justice or Justices of the Peace, and they are hereby required to amend any Information, Conviction or Warrant of Commitment for any Offence under any such Act.

Information,
&c. may be
amended.

Gaolers not to
discharge Per-
sons confined
for Sum herein
mentioned.

XVIII. And be it further enacted, That it shall not be lawful for the Gaoler or Keeper of any Prison, in virtue of any Authority to him given by the said Act for the Prevention of Smuggling, to discharge any Person who shall have been committed to such Prison for Nonpayment of any Penalty or Penalties, if such Penalty or Penalties shall amount to or exceed the Sum of One hundred Pounds; any Thing in the said Act to the contrary notwithstanding.

Signals to
Smuggling
Vessels.

XIX. And be it further enacted, That every Intimation to any Smuggling Vessel or Boat, in whatever Manner given, shall be deemed to be a Signal within the Meaning of the said Act for the Prevention of Smuggling, and shall subject the Person giving such Intimation to be detained and proceeded against as directed by the said Act.

Proof on Trial
of Treasury
Order.

XX. And be it further enacted, That upon the Trial of any Issue, or upon any judicial Hearing or Investigation touching any Penalty or Forfeiture under any Law or Laws relating to the Revenue of the Customs or Excise, or to the Law of Navigation, where it may be necessary to give Proof of any Order issued by the Commissioners of His Majesty's Treasury, or by the Commissioners of His Majesty's Customs or Excise respectively, the Letter or Instructions which shall have been officially received by the Officer of Customs or Excise, at the Place or District where such Penalty or Forfeiture shall have been incurred, or shall be alleged to have been incurred, for his Government, and in which such Order is mentioned or referred to, and under which said Instructions he shall have acted as such Officer, shall be admitted and taken as sufficient Evidence and Proof of such Order, to all Intents and Purposes whatsoever.

Navigation.

Goods of Asia
or Africa with-
in Straits of
Gibraltar.

XXI. And Whereas another Act was passed in the last Session of Parliament, intituled *An Act for the Encouragement of British Shipping and Navigation*; and it is expedient to amend the same in Manner hereinafter provided; Be it therefore enacted, That all Goods, the Produce of Places in the Interior of Asia or

Africa,

Africa, which shall be brought to any Place in *Europe* within the Straits of *Gibraltar*, through Places in *Asia* or *Africa* which are within those Straits, shall be deemed to be the Produce of such last mentioned Places within the Meaning of the said Act.

Navigation.

‘ XXII. And Whereas by an Act passed in the Fourth Year of the Reign of His present Majesty, for consolidating and amending the Laws then in force with respect to Trade from and to Places within the Limits of the Charter of the *East India Company*, particular Provision is made with respect to the Number and Country of the Seamen by whom *British Ships* engaged in such Trade may in certain Cases be navigated ;’ Be it therefore enacted, That any *British Ship* navigated in the Manner permitted by the said Act in any of the Cases therein mentioned shall be deemed to be duly navigated as *British Ships* ; any Thing in the before mentioned Act for the Encouragement of *British Shipping* and Navigation to the contrary notwithstanding.

4 G. 4. c. 80.
§§ 21, 22.

Locusts and
Foreigners
navigating East
India Ships.

‘ XXIII. And Whereas by an Act passed in the Thirty fifth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for further encouraging and regulating the Southern Whale Fisheries*, certain Foreigners were permitted to be employed as Masters or Seamen in navigating Ships employed in such Fisheries : And Whereas the said Act will from and after the Fifth Day of *July* next be repealed ; and it is expedient to continue such Privilege to Persons who have been actually so employed ;’ Be it therefore enacted, That it shall be lawful for any Person who shall have been actually so employed under the Authority of the said Act, to go before the Collector and Controller of the Customs at the Port from whence the Ship in which he last so served shall have cleared out for the Voyage on which he was employed in the same, and make Proof of such Service to the Satisfaction of such Collector and Controller, and thereupon such Collector and Controller shall enrol the Name of such Person and shall give to him a Certificate of such Proof, and such Person producing such Certificate shall at all Times thereafter be deemed to hold the Qualification of a *British Seamen* for the Purpose of navigating any Ship employed in the Southern Whale Fisheries ; any Thing in the Law of Navigation to the contrary notwithstanding.

35 G. 3. c. 92.
§ 7.

Foreigners na-
vigating Ships
in Southern
Whale Fishery.

XXIV. And be it further enacted, That all Penalties and Forfeitures incurred under the said Act for the Encouragement of *British Shipping* and Navigation, shall be sued for, prosecuted, recovered and disposed of, or shall be mitigated or restored, in like Manner as any Penalty or Forfeiture can be sued for, prosecuted, recovered and disposed of, or may be mitigated or restored, under the before mentioned Act passed in the last Session of Parliament, for the Prevention of Smuggling.

Jurisdiction
under
6 G. 4. c. 108.
extended to
Navigation
Law.

‘ XXV. And Whereas another Act was passed in the last Session of Parliament, intituled *An Act for the registering of British Vessels* ; and it is expedient to alter and amend the same in Manner hereinafter provided : And Whereas by the said Act it is provided, that if any Ship be built in *Asia*, *Africa* or *America*, for Owners residing in the United Kingdom, a Certificate therein mentioned shall be given for the Navigation of such Ship to the United Kingdom, whether by a direct or circuitous Voyage, and that such Certificate shall for such Voyage have all the Force

Register.

6 G. 4. c. 110.
§ 12.
Ships built in
Colonies for
Owners in
U. K. to have
Certificate to
navigate for
Term herein
mentioned.

Register.

‘ and Virtue of a Certificate of Registry under that Act;’ Be it therefore enacted, That such Certificate shall be in like Force for the Navigation of such Ship for any Voyages whatever during the Term of Two Years from the Date of such Certificate, if such Ship shall not sooner arrive at some Place in the United Kingdom.

‘ XXVI. And Whereas by the said Act for registering *British* Ships Provision is made for the entering of any Bill of Sale of any Ship or Vessel, or any Share thereof, in the Book of Registry at the Port where such Ship or Vessel is registered, or in the Book of intended Registry at any other Port at which she is about to be registered *de novo*;’ Be it enacted, That such Entry in the Book of intended Registry shall not be made until all the Requisites of Law for the immediate Registry of the Ship or Vessel in such Book have been complied with; nor shall such Entry be valid or certified on the Bill of Sale until the Registry *de novo* of the Ship or Vessels shall have been duly made, and the Certificate thereof granted.

Entry of Bill
of Sale in Book
of intended
Registry.

‘ XXVII. And Whereas the Company of Merchants of *England* trading to the *Levant Seas* has been dissolved;’ Be it therefore enacted, That it shall be lawful for any Person who was a Member of the said Company at the Time of its Dissolution, and who was a Resident at any of the Factories of the said Company, to continue to own any Share or Shares in any *British* registered Ship, of which at the Time of such Residence he was an Owner or Part Owner, although such Person shall continue to reside at any of the Places where such Factories had existed prior to the Dissolution of the said Company.

Levant Com-
pany.

Duties.

6 G.4. c. 111.

Goods the
Produce of
and imported
from particular
Places herein
mentioned.

‘ XXVIII. And Whereas another Act was passed in the last Session of Parliament, intituled *An Act for granting Duties of Customs*; and it is expedient to alter and amend the same in Manner hereinafter provided;’ Be it therefore enacted, That whenever lower Duties are charged upon the Importation of any of the Goods hereinafter mentioned as being the Produce of particular Places, such Goods shall not be deemed to be the Produce of such Places unless they be also imported from such Places; that is to say, Almonds, Arrow Root or Powder, Bark, Cocus Wood, Copper, Fustic, Ginger, Granilla, Hemp, Hides, Honey, Indigo, Logwood, Marmalade, Cashew Nuts, Cocoa Nuts, Pimento, Rhubarb, Rosin, Sarsaparilla, Sponge, Succades, Sugar, Tamarinds, Tar, Tortoiseshell and Turmeric.

Inwards.

6 G.4. c. 111.

Proviso for
Cambrics and
other Linens
not rated ac-
cording to
Number of
Threads.

‘ XXIX. And Whereas in the “ Table of Duties of Customs Inwards,” to the said Act for granting Duties of Customs annexed, certain rated Duties are imposed upon the several Sorts of Linen therein mentioned, some of which are to be ascertained according to the Number of Threads to the Inch of Warp of such Linen, and an Option is given to the Importer to pay a Duty of Forty Pounds for every One hundred Pounds of the Value of the Linen, instead of any of the rated Duties so imposed;’ Be it therefore enacted and declared, That from and after the Tenth Day of *October* One thousand eight hundred and twenty six, such Option shall not be deemed to extend to Cambrics, or to any other Sort of Linen, the rated Duties of which are not to be ascertained according to the Number of Threads in the same.

‘ XXX. And

‘ XXX. And Whereas by the said Act a Duty of Ten Shillings for every One hundred Pounds of the Value of certain Goods is charged upon the Exportation thereof;’ Be it therefore enacted, That such Duty shall not be charged upon any Goods which are subject to any other Export Duty.

Outwards.

6 G. 4. c. 111.

Ad valorem
Duty outwards.

‘ XXXI. And Whereas it is expedient to make further Provisions for charging suitable Duties on Rum which shall have been sweetened by the colouring Matter necessarily mixed with the same;’ Be it therefore enacted, That Rum the Produce of the *British Possessions in America* shall not be liable to the Duty charged on sweetened Spirits, unless the actual Strength thereof shall exceed the Strength denoted by *Sykes’s Hydrometer* by more than Ten Degrees *per Centum*; and that in lieu of such Duty, there shall be charged upon every Degree *per Centum* more than Three Degrees and not more than Ten Degrees by which the actual Strength of any such Rum shall exceed the Strength denoted by *Sykes’s Hydrometer*, a Duty of Nine Shillings and Sixpence: Provided always, that if the Importer of any such Rum cannot make a perfect Entry thereof for Payment of the proper Duty on the actual Strength of the same, it shall be lawful for such Importer to demand in Writing upon the Entry, that Trial be made of the actual Strength of such Rum (he paying the Expence of such Trial), instead of entering such Rum for the Payment of Duty upon any stated Number of such excessive Degrees of Strength: Provided also, that all Trials of the actual Strength of Rum shall be made by some skilful Person appointed by the Commissioners of the Customs for such Purpose.

Sweetened
Rum, how
charged with
Duty.

XXXII. And be it further enacted, That the *East India Company* shall be allowed to export Stores, Provisions, Utensils of War and Necessaries for maintaining their Garrisons and Settlements, free of all Duties; so as the Duties hereby remitted, if they had been to be paid, would not have exceeded or do not exceed, in any One Year, the Sum of Three hundred Pounds.

East India
Company’s
Stores.

‘ XXXIII. And Whereas, in a Table to the said Act for granting Duties of Customs annexed, denominated “A Table of Duties Coastwise,” a Duty of One Shilling the Chaldron is imposed upon certain Small Coals shipped to be sent Coastwise from the Ports of *Newcastle or Sunderland* to any Port in *England or Wales*, and such Coals are not subject to the Duty imposed in the said Table upon Coals brought Coastwise;’ Be it therefore enacted, That the said Duty of One Shilling shall also be imposed upon the like Sorts of Small Coals, when shipped to be so sent from the Ports of *Liverpool, Bristol, Bridgewater, Gloucester, Chepstow, Cardiff, Newport, Swansea, Llanelly, Cardigan, Aberyswith, Whitehaven, Lancaster, Preston, Beaumaris, Milford or Stockton*, in like Manner as when shipped to be sent from either of the said Ports of *Newcastle or Sunderland*; and such Coals shall also be free of Duty when brought to any Port in *England or Wales*, in like Manner as if so brought from either of the said Ports of *Newcastle or Sunderland*.

Coastwise.

6 G. 4. c. 111.

Duty on
Small Coals.

XXXIV. And be it further enacted, That in lieu and instead of any Duty on Coals, except Small Coals hereinbefore mentioned, brought Coastwise into any Port in *Wales*, payable under the said Act of the last Session of Parliament, for granting Duties of Customs

Alteration of.
Duty on Coals
brought Coast-
wise to any
Port in *Wales*,

*Coastwise.*by 6 G. 4.
c. 111.

toms according to a Table of Duties thereunto annexed, denominated "A Table of Duties Coastwise," there shall be paid upon all Coals, except Small Coals as aforesaid, whether usually sold by Weight or by Measure, when brought Coastwise from any Port in the United Kingdom into any Port in *Wales*, a Duty of One Shilling and Eight Pence for every Ton Weight of such Coals; and such Duty shall be raised, levied, collected and paid unto His Majesty, in like Manner as if the same had been imposed by the said Act, and set forth in the said Table thereunto annexed.

Table of New
Duties.

XXXV. And be it further enacted, That instead of the Duties and Drawbacks imposed and allowed by the said Act of the last Session of Parliament for granting Duties of Customs, and set forth in a Table thereunto annexed, denominated "Table of Duties of Customs Inwards," the several Duties and Drawbacks set forth in Figures in the Table hereinafter contained, and denominated "Table of New Duties," shall, in respect of such Goods as are mentioned therein, be raised, levied, collected and paid unto His Majesty, and be allowed in like Manner as if such Duties and Drawbacks had been imposed and allowed in and by the said Act, and had been set forth in the said Table thereunto annexed; that is to say,

TABLE OF NEW DUTIES.

	Duty.		
	£	s.	d.
Aloes, the Produce of the Cape of Good Hope, and imported direct from thence - - - - -	the lb.	0	0 3
Annatto, or Rocou Flag - - - - -	the lb.	0	0 2
Ashes; viz. Weed Ashes - - - - -	the cwt.	0	1 8
Bark; Peruvian or Jesuit's Bark - - - - -	the lb.	0	0 1
— Quercitron Bark - - - - -	the cwt.	0	1 0
Boxwood - - - - -	the ton	5	0 0
— the Produce of and imported from any British Possession - - - - -	the ton	1	0 0
Capers, including the Pickle - - - - -	the lb.	0	0 6
Camphor unrefined - - - - -	the lb.	0	0 1
Cedar Wood, not being the Produce of and imported from any British Possession - - - - -	the ton	2	10 0
Cinnamon, imported from any British Possession within the Limits of the East India Company's Charter - - - - -	the lb.	0	2 6
Cloves, imported from any British Possession within the Limits of the East India Company's Charter - - - - -	the lb.	0	2 0
Cocoa Nuts - - - - -	the lb.	0	1 3
— the Produce of and imported from any British Possession in America - - - - -	the lb.	0	0 6
— imported from any British Possession within the Limits of the East India Company's Charter - - - - -	the lb.	0	0 9
— imported from any other Place within the Limits of the East India Company's Charter - - - - -	the lb.	0	1 0
Cochineal - - - - -	the lb.	0	0 6
— Dust - - - - -	the lb.	0	0 2

		Duty.		
Cochineal — <i>continued.</i>				
— the Produce of and imported from any British Possession	the lb.	£	s.	d.
— - - - Dust	the lb.	0	0	2
Coffee	the lb.	0	0	1
— the Produce of and imported from any British Possession in America	the lb.	0	1	3
— the Produce of and imported from Sierra Leone	the lb.	0	0	6
— imported from any British Possession within the Limits of the East India Company's Charter	the lb.	0	0	9
— imported from any other Place within the Limits of the East India Company's Charter	the lb.	0	0	9
Cotton; viz. Articles of Manufactures of Cotton, wholly or in Part made up, not otherwise charged with Duty,				
for every 100 th of the Value		20	0	0
Ebony	the ton	10	0	0
— the Produce of and imported from any British Possession	the ton	0	15	0
Furriers' Waste	for every 100 th of the Value	10	0	0
Galls	the cwt.	0	5	0
Hair or Goats' Wool; viz.				
— Articles of Manufactures of Hair or Goats' Wool, or of Hair or Goats' Wool and any other Material, wholly or in Part made up, not otherwise charged with Duty,				
for every 100 th of the Value		30	0	0
— Cow, Ox, Bull or Elk Hair	the cwt.	0	2	6
Hemp, rough or undressed, or any other Vegetable Substance of the Nature and Quality of undressed Hemp, and applicable to the same Purposes, the Produce of and imported from New Zealand, until the 1st January, 1833				
				Free.
Lignum Vitæ	the ton	2	0	0
— the Produce of and imported from any British Possession	the ton	0	10	0
Linen; viz. Articles of Manufactures of Linen, or of Linen mixed with Cotton or with Wool, wholly or in Part made up, not otherwise charged with Duty				
for every 100 th of the Value		40	0	0
Mace imported from any British Possession within the Limits of the East India Company's Charter	the lb.	0	3	6
Mahogany	the ton	7	10	0
— of the Growth of Bermuda, or any of the Bahama Islands, and imported direct from thence, respectively; and Mahogany, imported direct from the Bay of Honduras in a British Ship cleared out from the Port of Belize	the ton	2	10	0
— of the Growth of the Island of Jamaica, and imported direct from thence	the ton	4	0	0
Marble Blocks	the solid foot	0	1	0
Nutmegs, imported from any British Possession within the Limits of the East India Company's Charter	the lb.	0	2	6
Oil Seed Cakes of all Sorts	the cwt.	0	0	2

	Duty.
Oil of Castor, imported from any British Possession within the Limits of the East India Company's Charter - the lb.	£ s. d. 0 0 9
Oranges and Lemons; viz.	
—— the Chest or Box, not exceeding the Capacity of 5,000 Cubic Inches - - - - -	0 2 6
—— the Chest or Box, exceeding the Capacity of 5,000 Cubic Inches, and not exceeding 7,300 Cubic Inches	0 3 9
—— the Chest or Box, exceeding the Capacity of 7,300 Cubic Inches, and not exceeding 14,000 Cubic Inches	0 7 6
—— for every 1,000 Cubic Inches exceeding the above Rate of 14,000 Cubic Inches, and so in Proportion for any greater or less Excess - - - - -	0 0 7½
—— loose - - - - - the 1,000	0 15 0
—— or, and at the Option of the Importer, for every 100 ^l . of the Value	75 0 0
Orchal, Orchelia, or Archelia - - - - - the cwt.	0 3 0
Otto or Attar, or Oil of Roses - - - - - the oz.	0 2 0
Pepper of all Sorts, imported from any British Possession within the Limits of the East India Company's Charter, the lb.	0 1 0
—— imported from any other Place within the Limits of the East India Company's Charter - the lb.	0 1 2
Pictures - - - - - each	0 1 0
—— - - - and further - - - - - the square foot	0 1 0
Quinine, Sulphate of - - - - - the oz.	0 0 1
Rhubarb, imported from any British Possession within the Limits of the East India Company's Charter - the lb.	0 2 6
Rosewood - - - - - the ton	10 0 0
Saffron - - - - - the lb.	0 1 0
Safflower - - - - - the cwt.	0 2 6
Sago, common - - - - - the cwt.	0 5 0
Seed; viz. Linseed - - - - - the quarter	0 1 0
Skins; viz.	
—— Kid Skins, dressed, and dyed or coloured - the 100 skins	0 15 0
—— Lamb Skins, tanned or tawed, and dyed or coloured, the 100 skins	0 15 0
—— Calf Skins and Kip Skins, in the Hair, not tanned, tawed, curried or in any Way dressed, the Produce of and imported from any British Possession; viz.	
- - - dry - - - - - the cwt.	0 2 4
- - - wet - - - - - the cwt.	0 1 2
Spirits; viz.	
—— Rum Shrub, however sweetened, the Produce of and imported from any British Possession in America, the gallon	0 8 6
Sugar, until the 5th July 1827, and no longer; viz.	
—— Brown or Muscovado, or Clayed, not being refined the cwt.	3 8 0
- - - the Produce of and imported from any British Possession in America, - - - the cwt.	1 7 0

				Duty.
				£ s. d.
Sugar, Brown, &c.—continued.				
- - -	the Produce of and imported from any British Possession within the Limits of the East India Company's Charter	-	the cwt.	1 17 0
Tapioca or Tapioca Powder	-	-	the cwt.	0 10 0
Tobacco, unmanufactured	-	-	the lb.	0 3 0
_____	the Produce of and imported from any British Possession in America, unmanufactured	-	the lb.	0 2 9
_____	manufactured, or Segars	-	the lb.	0 9 0
_____	manufactured in the United Kingdom, at or within Two Miles of any Port into which Tobacco may be imported, made into Shag, Roll, or Carrot Tobacco, Drawback on Exportation, the lb.	2s. 7½d.		
Turmeric	-	-	the cwt.	0 10 0
_____	the Produce of any British Possession in America, or on the West Coast of Africa	-	the cwt.	0 3 0
Wax; viz. Bees' Wax, unmanufactured, imported from any British Possession within the Limits of the East India Company's Charter				2 6 6
Wood; viz.				
_____	Battens, above 45 Feet in Length, or above 2½ Inches in Thickness (not being Timber 8 Inches Square)	the Load containing 50 Cubic Feet		2 10 0
_____	- - - and further	-	the 120	6 0 0
_____	Beech Planks of all Sorts, of the Growth and Produce of any British Possession in America, and imported direct from thence	-	the 120	0 8 4
_____	Deal Ends of the Growth and Produce of any British Possession in America, and imported direct from thence into Great Britain, above 7 Inches in Width, being under 6 Feet in Length, and exceeding 3½ Inches in Thickness	-	the 120	1 10 0
_____	Ufers of the Growth of any British Possession in America, and imported direct from thence, under 5 Inches Square, and under 24 Feet in Length	the 120		3 5 0
Wool; viz. Cotton Wool, or Waste of Cotton Wool, the Produce of and imported from Malta				Free.
Woollens; viz. Articles of Manufactures of Wool (not being Goats' Wool), or of Wool mixed with Cotton, wholly or in Part made up, not otherwise charged with Duty, for every 100l. of the Value				20 0 0
Yarn; viz. Camel or Mohair Yarn	-	-	the lb.	0 0 1
Zebra Wood	-	-	the ton	2 0 0

' XXXVI. And Whereas another Act was passed in the last Session of Parliament, intituled *An Act for the Warehousing of Goods*; and it is expedient to alter and amend the same in Manner hereinafter provided; Be it therefore enacted, That whenever any Tobacco shall be taken out of the Warehouse for Home Use, the same shall be reweighed, and the Duty shall be charged according to the Weight then ascertained, although such Tobacco

Warehouses.

6 G. 4. c. 112.

Tobacco to be charged on Delivery Weight.

Warehouse.

Pepper may be
abandoned for
Duty.

No Abatement
for Damage.

6 G. 4. c. 112.

in part re-
pealed.

Bounties.

6 G. 4. c. 113.

Allowance of
Duties on
Coals used in
Devon and
Cornwall in
smelting, &c.

Allowance of
Duty on Ba-
rilla for bleach-
ing.

Proviso.

Debenture.

Sail Cloth for
Bounty to be of
certain Weight.
6 G. 4. c. 113.

Bounty on
Sugar con-
tinued.

Tobacco may have increased or decreased in Weight since the Weight thereof had been before ascertained.

XXXVII. And be it further enacted, That within One Month after any Pepper shall have been warehoused, it shall be lawful for the Importer or Proprietor to abandon any Part thereof for the Duty, and the Quantity of such Pepper not so abandoned, being thereupon ascertained, shall be deemed to be the Quantity imported: Provided always, that no Abatement of Duty shall be made on account of any Damage received by any Pepper during the Voyage.

XXXVIII. And be it further enacted, That so much of the said Act for the Warehousing of Goods as extends to prevent the Exportation of Tobacco from the Warehouse to the Islands of *Guernsey, Jersey, Alderney or Sark*, without the Licence of the Commissioners of His Majesty's Customs, or to limit the Quantity of Tobacco which may be so exported to those Islands, shall be and the same is hereby repealed.

XXXIX. And Whereas another Act was passed in the last Session of Parliament, intituled *An Act to grant certain Bounties and Allowances of Customs*; and it is expedient to alter and amend the same in Manner hereinafter provided; Be it therefore enacted, That the Drawback of the Duties upon Coals, allowed by the said Act upon all Coals used in Works of the Mines of Tin, Lead or Copper in the Counties of *Devon and Cornwall*, in roasting, calcining, smelting or refining the said Metals, or any of them, being the Produce of such Mines, shall be allowed in like Manner upon Coals so used in any Works in those Counties, although the same be not the Works of such Mines.

XL. And be it further enacted, That for any Barilla used in the Process of bleaching of Linen before the Fifth Day of *January* One thousand eight hundred and thirty, a Repayment of the Duties which had been paid on the Importation of such Barilla shall be made to the Person so using the same, provided that the Person claiming such Repayment shall, within Three Calendar Months next after the Fifth Day of *January* in each Year, produce to the Commissioners of the Customs an Account of the total Quantity of Barilla so used by him in the preceding Year, showing when and where and by whom the Duties on the same had been paid, and where the same had been used; and shall also prove, to the Satisfaction of the said Commissioners, that the Barilla mentioned in such Account had within such Year been actually used by him in the Process of bleaching of Linen; and thereupon a Debenture shall issue for making such Repayment at the Port at or near to which such Barilla shall have been so used.

XLI. And be it further enacted, That no Bounty shall be allowed under the said Act for granting Bounties and Allowances of Customs upon the Exportation of any Sail Cloth, the Weight of which shall be less than after the Rate of Forty three Pounds to Thirty eight square Yards of the same, if the Width be more than Twenty Inches, or after the Rate of Twenty four Pounds to Thirty eight running Yards of the same, if the Width be not more than Twenty Inches.

XLII. And be it further enacted, That Nine Tenth Parts of the several Bounties granted by the last mentioned Act upon the Exportation

ation of refined Sugar, until the Fifth Day of *July* One thousand eight hundred and twenty six, shall be and the same are hereby continued so long as the Duties on the Importation of Sugar imposed by this Act shall remain in force, or be further continued by any Act hereafter to be made.

Bounties.
—

Possessions abroad.
—

6 G. 4. c. 114.
§ 2.

In what Case
Goods imported
into Free Ports
forfeited.

Duty on Rum
from West In-
dies to Canada.

Certain Goods
brought inland
into Canada
for Export-
ation.

Security for
warehousing.

Altered Duty
on Wheat Flour
imported from
a Warehouse.

Duty and Re-
gulation on
Goods not the
Produce of
Mauritius im-
ported from
thence.

XLIII. And Whereas another Act was passed in the last Ses-
sion of Parliament, intituled *An Act to regulate the Trade of the*
British Possessions abroad; and it is expedient to alter and amend
the same in Manner hereinafter provided: And Whereas by the
said Act certain Goods are prohibited to be imported into any
Port or Place in the *British Possessions in America*, except into
some of the Ports in such Possessions called Free Ports, and
enumerated or described in a Table contained in such Act; Be
it therefore enacted, That if any Goods shall be imported into
any Port or Place in the said Possessions contrary to such Prohi-
bition such Goods shall be forfeited.

XLIV. And be it further enacted, That Rum or other Spirits, the
Produce of any *British Possession in South America* or the *West*
Indies, when imported from any *British Possession in America* into
Canada, shall not be deemed to be Foreign, nor be charged with
Duty as such; and that the Duty of Sixpence the Gallon, imposed
by the said Act to regulate the Trade of the *British Possessions*
abroad, upon such Rum or other Spirits, when imported into
Canada from the United Kingdom, shall be payable over and above
any Duty thereon there payable under any Colonial Law; any
Thing in the said Act or this Act to the contrary notwithstanding.

XLV. And be it further enacted, That all Masts, Timber and
Ashes brought by Land or inland Navigation into *Canada*, and
duly shipped and exported from thence, shall, upon Importation
into the United Kingdom, be deemed to be and be imported as the
Produce of some *British Possession*; and that it shall be lawful to
bring into *Canada*, by Land or inland Navigation, any Beef or Pork,
to be there warehoused for the Purpose only of being exported to
Newfoundland: Provided always, that Security shall be given to
the Satisfaction of the Commissioners of His Majesty's Customs,
upon the First Entry of such Beef and Pork, that the same shall be
duly conveyed to and warehoused in some warehousing Port, to be
from thence exported direct to *Newfoundland*.

XLVI. And be it further enacted, That Wheat Flour which shall
have been warehoused at any free warehousing Port in the *British*
Possessions in North America, and which shall be imported direct
from the Warehouse at such Port into any *British Possession* in
the *West Indies* or in *South America*, shall upon such Importation
be liable only to a Duty of One Shilling for every Barrel of such
Flour, instead of the Duty of Five Shillings now payable on the
same under the said Act for regulating the Trade of the *British*
Possessions abroad.

XLVII. And be it further enacted, That if any Goods which
had been imported into the Island of *Mauritius* shall afterwards
be imported from thence into any other *British Possession*, or into
the United Kingdom, the same shall be liable to the Payment of
the same Duties, and shall be subject to the same Regulations as
the like Goods would be liable to the Payment of, or subject unto,
if the same had been first imported into any of the *British Posses-*
sions

*Possessions
abroad.*

6 G. 4. c. 114.
in part repealed.

sions in the *West Indies*, and afterwards imported from thence into such other *British Possession*, or into the *United Kingdom* respectively.

XLVIII. And be it further enacted, That so much of the said Act for regulating the Trade of the *British Possessions* abroad as extends to prevent the Importation of Tobacco into the Islands of *Guernsey, Jersey, Alderney* or *Sark*, except from the *United Kingdom*, shall be and the same is hereby repealed; and that so much also of the said Act as extends to prevent the Importation of Brandy, Geneva or other Spirits, or of Tobacco or Snuff into the said Islands, in any Ship or Vessel of less Burthen than One hundred Tons, shall, so far as the same extends to Ships or Vessels which are not of less Burthen than Seventy Tons, importing any of such Goods from the *United Kingdom*, be and the same is hereby repealed.

Distillation of
Low Wines and
Spirits in the
Isle of Man
prohibited.

XLIX. And be it further enacted, That no Low Wines or Spirits shall be made, extracted or distilled in the *Isle of Man* from any Materials whatever; and if any Person shall make, extract or distil, or cause or procure to be made, extracted or distilled, any Low Wines or Spirits from any Material whatever, or shall use or mix, or cause or procure to be used or mixed, any Materials whatever with any Worts or Wash, in order to the making, extracting or distilling of Low Wines or Spirits, or shall put or lay, or cause or procure to be put or laid, in any Vessel or Utensil, any Materials whatever for the Purpose of preparing any Worts or Wash, or for making, extracting or distilling Low Wines or Spirits in the *Isle of Man*, that then and in each and every of the said Cases every such Person, and also every Person in whose Custody or Possession shall be found any Vessel or Utensil made use of contrary to the Intention of this Act, shall respectively, for every such Offence, forfeit and pay the Sum of Two hundred Pounds; and all such Materials, and such Worts and Wash, Low Wines and Spirits, and such Vessels or Utensils so made use of, shall be forfeited, and shall and may be seized by any Officer of the Customs; and all such Penalties and Forfeitures shall be sued for and prosecuted as any Penalty or Forfeiture relating to the Customs may be sued for and prosecuted under an Act passed in the last Session of Parliament, intituled *An Act for the Prevention of Smuggling*.

Penalty:
Seizure of
Goods, Utensils, &c.

Repeal.

6 G. 4. c. 105.
in part repealed.

Proviso for
4 G. 4. c. 25.
43 G. 3. c. 25.

L. And Whereas another Act was passed in the last Session of Parliament, intituled *An Act to repeal the several Laws relating to the Customs*; and it is expedient to amend the same, in order that certain Acts mentioned therein should not be repealed; Be it therefore enacted, That so much of the said Act as extends to repeal an Act passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act for regulating the Number of Apprentices to be taken on board British Merchant Vessels, and for preventing the Desertion of Seamen therefrom*; and also to repeal an Act passed in the Forty third Year of the Reign of His late Majesty, intituled *An Act for the better securing the Freedom of Elections of Members to serve in Parliament for any Place in Ireland, by disabling certain Officers employed in the Collection and Management of His Majesty's Revenues in Ireland from giving their Votes at such Elections*; and also to repeal so much of an Act passed in the Sixth Year of the Reign of King George the Second,

6 G. 2. c. 18.

Second, intituled *An Act for the better securing and encouraging the Trade of His Majesty's Sugar Colonies in America*, as imposes any Duty to be paid to His Majesty; and also to repeal so much of an Act passed in the Seventh Year of the Reign of King George the Third, intituled *An Act for granting certain Duties in the British Colonies and Plantations in America, for allowing a Drawback of the Duties of Customs upon the Exportation from this Kingdom of Coffee and Cocoa Nuts of the Produce of the said Colonies or Plantations, for discontinuing the Drawbacks payable on China Earthenware exported to America, and for more effectually preventing the running of Goods in the said Colonies and Plantations*, as imposes any Duty to be paid to His Majesty; and also to repeal so much of an Act passed in the Fourth Year of the Reign of King George the Third, intituled *An Act to regulate the Importation and Exportation of certain Articles subject to Duties of Excise, and certain other Articles, the Produce and Manufacture of Great Britain and Ireland respectively, into and from either Country from and to the other*, as relates to the Excise, and which were enumerated in the said Act, shall be and the same is hereby repealed.

Repeal.

7 G.3. c.46.

4 G.4. c.30.

' LL. And Whereas by the said Act passed in the last Session of Parliament, to repeal the several Laws relating to the Customs, the several Acts, and Parts of Acts, therein particularly enumerated and referred to, passed prior to the last Session of Parliament, are repealed, or will, from and after the Fifth Day of July One thousand eight hundred and twenty six, be repealed; and it is expedient to repeal also several Acts passed in the last Session of Parliament; Be it therefore enacted, That the several Acts hereinafter mentioned, passed in the last Session of Parliament, shall be and the same are hereby repealed; (that is to say,) an Act intituled *An Act to reduce the Duties on Wine, Coffee and Hemp imported into the United Kingdom*; and another Act, intituled *An Act for further regulating the Trade of His Majesty's Possessions in America and the West Indies, and for the warehousing of Goods therein*; and another Act, intituled *An Act to extend to the Island of Mauritius the Duties and Regulations which relate to the British Islands in the West Indies*; and another Act, intituled *An Act to repeal certain Duties of Customs, and to grant other Duties in lieu thereof; to continue, until the Fifth Day of July One thousand eight hundred and twenty six, the Bounties on refined Sugar; and to alter the Bounty on Cordage*.

6 G.4. c. 10

6 G.4. c.13.

6 G.4. c.73.

6 G.4. c.76.

6 G.4. c.104.

repealed.

' LII. And Whereas by the said Act of the last Session of Parliament for repealing the several Laws relating to the Customs, together with this Act, all the Laws relating to the Customs made prior to the said Act are repealed, or are intended to be repealed, save and except certain Acts hereinafter mentioned or described, relating to some particular Subjects, and which are not intended to be repealed: And Whereas, in conjunction with the said Act passed in the last Session of Parliament to repeal the Laws of the Customs, several other Acts were passed for consolidating the Laws of the Customs, in order, as therein stated, that the Purposes for which the former Laws so repealed had from time to time been made should be secured by new Enactments, exhibiting more perspicuously and compendiously the various

6 G.4. c.105.

Repeal.

General Repeal of the Laws of the Customs, except certain Laws herein-after described or enumerated to be saved.

Acts relating to the Customs, Navigation, Smuggling, &c. as herein mentioned, in part repealed.
Proviso for 18 G.3. c.12.

31 G.3. c.31.

Acts to be saved.
51 G.3. c.47.

59 G.3. c.54.

55 G.3. c.26.

1 & 2 G.4.
c.87.

' various Provisions contained in them, and which several Acts came into Force and Operation on the Sixth Day of *January* in the present Year : And Whereas it is expedient that no Doubt should remain whether any or what, if any, former or other Acts, relating in any Way to the Customs, continue to have any Force ;' Be it therefore enacted, That all Statutes and Acts, and all Parts of Statutes and Acts, made in the respective Parliaments of *England*, of *Great Britain*, of *Ireland* and of the United Kingdom, relating to the Revenue of Customs, to Navigation or to the Prevention of Smuggling, in any Part of the *British* Dominions, which were in force on the said Fifth Day of *January* One thousand eight hundred and twenty six, besides the several Acts and Parts of Acts expressly repealed by the said repealing Act of last Session, as hereinbefore amended, and by this Act, shall be and the same are hereby repealed ; save and except such Acts and Parts of Acts as are hereinafter mentioned or described, and declared to be saved and excepted from the Effect of this general Repeal ; that is to say, An Act passed in the Eighteenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for removing all Doubts and Apprehensions concerning Taxation by the Parliament of Great Britain in any of the Colonies, Provinces and Plantations in North America and the West Indies ; and for repealing so much of an Act made in the Seventh Year of the Reign of His late Majesty as imposes a Duty on Tea imported from Great Britain into any Colony or Plantation in America, as relates thereto ;* and also so much of any Act, or the Part of any Act now in force, which was passed prior to the last mentioned Act, and by which any Duties in any of the *British* Possessions in *America* were granted and still continue payable to the Crown, as relates to the Collection and Appropriation of such Duties ; and also an Act passed in the Thirty first Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to repeal certain Parts of an Act passed in the Fourteenth Year of His Majesty's Reign, intituled ' An Act for making more effectual Provisions for the Government of the Province of Quebec in North America ;' and to make further Provisions for the Government of the said Province ;* and also an Act passed in the Fifty first Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for carrying into Effect the Provisions of a Treaty of Amity, Commerce and Navigation, concluded between His Majesty and His Royal Highness the Prince Regent of Portugal ;* and also an Act passed in the Fifty ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to carry into Effect a Convention of Commerce concluded between His Majesty and the United States of America, and a Treaty with the Prince Regent of Portugal ;* and also an Act passed in the Fifty fifth Year of the Reign of His late Majesty, intituled *An Act to amend the Laws now in force for regulating the Importation of Corn ;* and also another Act passed in the First and Second Year of the Reign of His present Majesty, intituled *An Act to repeal certain Acts passed in the Thirty first, Thirty third, Forty fourth and Forty fifth Years of His late Majesty King George the Third, for regulating the Importation and Exportation of Corn, Grain, Meal and Flour into and*

and from Great Britain, and to make further Provisions in lieu thereof; and also an Act passed in the Third Year of His present Majesty's Reign, intituled *An Act to amend the Laws relating to the Importation of Corn*; and also an Act passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act to alter for One Year, and until the End of the then next Session of Parliament, the Duty on Wheat the Produce of the British Possessions in North America*; and also an Act passed in the Fifty sixth Year of the Reign of His late Majesty King George the Third, intituled *An Act to reduce the Duty on the Exportation from Great Britain of Small Coals of a certain Description*; and also an Act passed in the Fifty ninth Year of the Reign of His late Majesty King George the Third, intituled *An Act to prevent the Enlisting or Engagement of His Majesty's Subjects to serve in Foreign Service, and the fitting out or equipping, in His Majesty's Dominions, Vessels for warlike Purposes, without His Majesty's Licence*; and also an Act passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act to authorize His Majesty, under certain Circumstances, to regulate the Duties and Drawbacks on Goods imported or exported in Foreign Vessels, and to exempt certain Foreign Vessels from Pilotage*, as the said Act is amended by an Act passed in the Fifth Year of the Reign of His present Majesty for that Purpose; and also an Act passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act to consolidate and amend the several Laws now in force with respect to Trade from and to Places within the Limits of the Charter of the East India Company, and to make further Provisions with respect to such Trade; and to amend an Act of the present Session of Parliament for the registering of Vessels so far as relates to Vessels registered in India*; and also an Act passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act for regulating Vessels carrying Passengers between Great Britain and Ireland*; and also an Act passed in the Fifty fifth Year of the Reign of His late Majesty King George the Third, intituled *An Act to repeal the Provisions of former Acts, granting exclusive Privileges of Trade to the South Sea Company, and to indemnify the said Company for the Loss of such Privileges*; and also another Act passed in the said Fifty fifth Year of the Reign of King George the Third, made for amending the said last mentioned Act; and also an Act passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act to amend the several Acts for the Encouragement and Improvement of the British and Irish Fisheries*; and all other Acts and Parts of Acts relating to the said Fisheries, which were in force upon the said Fifth Day of January One thousand eight hundred and twenty six; and also an Act passed in the Sixth and Seventh Years of the Reign of King William the Third, and another Act passed in the Fifteenth Year of the Reign of His late Majesty King George the Third, and another Act passed in the Thirty first Year of the Reign of His said Majesty, which several Acts relate to certain Keel Boats and Carriages, and for loading Coals on board Ships; and also an Act passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act to repeal the several Laws relating to the Performance of Quarantine, and to make*

Report,
3 G.4. c.60.
6 G.4. c.64.
56 G.3. c.127.
59 G.3. c.69.
4 G.4. c.77.
amended by
5 G.4. c.1.
4 G.4. c.80.
4 G.4. c.88.
55 G.3. c.57.
55 G.3. c.141.
5 G.4. c.64.
and other Acts
herein referred
to relating to
the British and
Irish Fisheries.
6 & 7 W.3.
c.10.
15 G.3. c.27.
31 G.3. c.36.
6 G.4. c.78.
make

Repeal.

43 G. 3. c. 25.

4 G. 4. c. 25.

21 & 22 G. 3.
(I.)Dublin Coal
Acts.Harbour and
Dock Acts.Local and Per-
sonal Acts.Duties for par-
ticular Pur-
poses.

Churches.

Excise Acts.

Jurisdiction in
Ireland or
Newfoundland
as to Customs,
Navigation and
Excise, and the
Exportation of
Tea.

*make other Provisions in lieu thereof; and also an Act passed in the Forty third Year of His late Majesty, intituled **An Act for the better securing the Freedom of Elections of Members to serve in Parliament for any Place in Ireland, by disabling certain Officers employed in the Collection or Management of His Majesty's Revenues in Ireland from giving their Votes at such Elections;** and also an Act passed in the Fourth Year of the Reign of His present Majesty, intituled **An Act for regulating the Number of Apprentices to be taken on board British Merchant Vessels, and for preventing the Desertion of Seamen therefrom;** and which Act it is hereby declared and enacted doth and shall extend to *Ireland*; and also an Act made in the Parliament of *Ireland* in the Twenty first and Twenty second Years of the Reign of His said late Majesty, for the Improvement of the City of *Dublin*, by making wide and convenient Passages through the same, and for regulating the Coal Trade thereof, and any Act or Acts for amending or continuing the same; and also save and except all such Acts and Parts of Acts as relate to the maintaining or improving of any Harbours, Havens, Ports, Rivers, Piers, Light Houses, Docks, Canals, Basons or Warehouses; and also all Acts and Parts of Acts which are of a local or personal Nature, not being Public General Acts, although declared Public; and also all Acts and Parts of Acts whereby any Duties are made applicable to any particular Purpose, or for the Use or Benefit of any particular Person or Persons, or Body or Bodies Corporate or Politic, or of any Society or Company; and also all Acts whereby any Drawback or Duty is granted in respect of Materials used in building of Churches and Chapels; and also all Acts and Parts of Acts relating to the Excise, so far only as the Provisions of any such Acts might and are to be put in force by the Commissioners of the Excise or their Officers in the United Kingdom, or by the Commissioners of Customs or their Officers in *Ireland*; and also so much of any Acts which create or regulate any Jurisdiction for the Trial of Offences in *Ireland* or *Newfoundland*, against the Laws of Customs, Navigation or Excise, as shall be in force immediately before the passing of this Act: Provided always, that nothing herein contained, or in any Act or Acts contained, relating to the Excise, shall extend to prevent the Exportation of Tea from the Warehouse in like Manner as other Goods warehoused upon the first Entry thereof may be exported under the Laws of the Customs; any Thing in any Law relating to the Excise to the contrary notwithstanding:—all which said several Acts so saved and excepted shall continue in such Force and Effect, to all Intents and Purposes, as if this Act had not been passed; any Thing in this Act contained to the contrary notwithstanding.*

C A P. XLIX.

An Act to amend several Laws of Excise relating to Bonds on Excise Licences in *Ireland*, Tiles and Bricks for draining, Oaths on Exportation of Goods, Permits for the Removal of Tea in *Ireland*, Size of Casks in which Spirits may be warehoused in *Scotland* and *Ireland*, the Allowance of Duty on Starch and Soap used in certain Manufactures, and the Repayment of Money advanced by Collectors of Excise for Public Works in *Ireland*. [26th May 1826.]

‘ **W**HEREAS it is expedient to amend certain Laws of Excise: 55 G.3. c.19.
 ‘ And Whereas, by an Act passed in the Fifty fifth Year
 ‘ of the Reign of His late Majesty King George the Third, intituled
 ‘ *An Act to grant certain Duties of Excise upon Licences for the*
 ‘ *Sale of Spirituous and other Liquors by Retail, and upon Licences*
 ‘ *to Persons dealing in Exciseable Commodities in Ireland, in lieu*
 ‘ *of the Stamp Duties payable upon such Licences, and to secure the*
 ‘ *Payment of such Excise Duties, and to regulate the issuing of*
 ‘ *such Licences, and to discourage the immoderate Use of Spirituous*
 ‘ *Liquors in Ireland*, it was amongst other Things enacted, that § 37.
 ‘ upon such Order as is in the said Act mentioned, made by any
 ‘ Justices of the Peace for issuing a Licence to retail Spirituous
 ‘ or other Liquors, the Person applying and the Sureties approved
 ‘ of for such Person, should enter into a Bond to His Majesty,
 ‘ His Heirs and Successors, in such penal Sum and with such
 ‘ Conditions as in the said Act is mentioned, before the Collector
 ‘ or other Officer or Person in charge of the Collection of the
 ‘ District in which such Person should require to be licensed :
 ‘ And Whereas by One other Act made in the Sixth Year of His 6 G.4. c.81.
 ‘ present Majesty’s Reign, intituled *An Act to repeal several*
 ‘ *Duties payable on Excise Licences in Great Britain and Ireland,*
 ‘ *and to impose other Duties in lieu thereof, and to amend the Laws*
 ‘ *for granting Excise Licences*, it is amongst other Things enacted, § 9.
 ‘ that from and after the Fifth Day of July One thousand eight
 ‘ hundred and twenty five, where by any Act or Acts of Par-
 ‘ liament relating to Excise Licences in force in *Great Britain* or
 ‘ *Ireland* on or immediately before the said Fifth Day of July
 ‘ One thousand eight hundred and twenty five, it is required that
 ‘ any Person or Persons taking out an Excise Licence to exercise
 ‘ or carry on any Trade or Business therein mentioned in any Part
 ‘ of the United Kingdom should give Bond at the Time of grant-
 ‘ ing such Licence, it shall and may be lawful for such Person or
 ‘ Persons, except Persons exercising or carrying on the Trade or
 ‘ Business of a Brewer of Beer in *Ireland*, or the Trade or Business
 ‘ of an Auctioneer, or Persons selling any Goods or Chattels,
 ‘ Lands, Tenements or Hereditaments by Auction in any Part of
 ‘ the United Kingdom, to take out such Licence without giving
 ‘ Bond as aforesaid : And Whereas Doubts have been entertained
 ‘ whether under the aforesaid Provisions of the said last recited
 ‘ Act the said Bond so directed by the said first recited Act of
 ‘ the Fifty fifth Year of His said late Majesty’s Reign to be entered
 ‘ into before the Collector or other Officer or Person in charge

The Bond required of Persons licensed to sell Spirituous Liquors in Ireland under 55 G.3. c.99. declared still necessary, notwithstanding 6 G.4. c.81.

No Excise Licence granted to any Person in Ireland for selling Beer, Spirits, &c. until Bond given with sufficient Sureties.

Conditions of Bond.

‘ as aforesaid, continued since the Fifth Day of *July* One thousand eight hundred and twenty five to be necessary and requisite to be entered into;’ For removing of which Doubts it is hereby declared and enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Bond was and is necessary and requisite to be given and entered into by and before the Person or Persons and at the Time and in Manner as in and by the said Act of the Fifty fifth Year of the Reign of His said late Majesty is prescribed, directed and appointed; any Thing in the said recited Act of the Sixth Year of the Reign of His present Majesty to the contrary thereof notwithstanding; and that every such Bond which hath been since the said Fifth Day of *July* One thousand eight hundred and twenty five, or which shall be entered into and given, shall be good, valid and effectual in the Law to all Intents and Purposes whatsoever.

II. And be it further enacted, That from and after the passing of this Act no Excise Licence shall be granted to any Person or Persons in *Ireland* for the Sale of any Beer or Cyder or Perry or Spirits by Retail, to be drank or consumed upon the House or Premises of such Person or Persons, unless and until the Person or Persons applying for such Licence shall, with Two sufficient Sureties (to be approved of by the Justices of the Peace at the Sessions), enter into Bond to His Majesty, His Heirs and Successors, the Person and Persons applying in the Sum of Fifty Pounds, and the Sureties each in the Sum of Twenty five Pounds, before the Collector of Excise or other Officer in charge of the Collection in which the Party shall require to be licensed, or before such Person as the Commissioner and Assistant Commissioners of Excise in *Ireland* shall appoint to take such Bonds; and the Condition of every such Bond shall be, that the Person to be licensed shall keep a Victualling House, Inn or Tavern, during the Time such Licence shall be in force, and shall be constantly provided with Strong Beer, Ale or Porter, and Victuals, of good and sound Quality, for Sale by Retail, and shall supply all Travellers who shall require it with such Victuals and Beer, Ale or Porter, at reasonable Rates, and shall not sell Spirituous Liquors on or during a *Sunday*, nor Wine, Ale, Beer, Porter, Cyder or Perry, Metheglin or Mead, Sweets or Made Wines on a *Sunday*, before the Hour of Two of the Clock in the Afternoon, except to Travellers or Inmates, nor any Liquors at unseasonable Hours on any Day of the Week to any Person (Travellers always excepted), nor to any Tradesman or Labourer resorting to such House for the Purpose of receiving Wages or of entering into any Combination, and shall not knowingly or wilfully entertain any Persons assembling for the Purpose of entering into any unlawful Association or Combination therein, or Persons in Arms who are not by Law qualified to carry the same; and that such Persons to be licensed respectively shall not at any time receive into his or her House, or permit or suffer to be sold therein or thereout, any Spirituous Liquors upon which to the beat of his or her Knowledge and Belief His Majesty’s Duties have not been fully paid, and which shall not have been duly and legally attended with a proper Permit

Permit or proper Permits to such Person; and that each and every such Permit shall be duly delivered or returned to the proper Officer.

III. And Whereas by an Act passed in the Thirty fourth Year of His late Majesty King *George* the Third, for granting to His Majesty certain Additional Duties on Bricks and Tiles made in or imported into *Great Britain*; and by an Act passed in the Forty third Year of the Reign of His said late Majesty (amongst other Things) for allowing certain Draining Tiles to be made free of Duty; and by an Act passed in the Forty sixth Year of the Reign of His said late Majesty (amongst other things) for exempting Tiles made for the Purpose of draining Lands from the Duties of Excise; and by an Act passed in the Fifty fifth Year of the Reign of His said late Majesty, for allowing certain Tiles to be made Duty free, to serve for draining; and by an Act passed in the First and Second Years of the Reign of His said present Majesty for altering the Draw-back on Acetous Acid exported, and for exempting Tiles made for draining Lands from Duty; and by another Act passed in the Fifth Year of the Reign of His said present Majesty (amongst other things) for amending certain Laws of Excise relating to the Duty on Draining Tiles; it is provided and enacted, that it shall and may be lawful for any Person or Persons to make Tiles or Bricks under and pursuant to the several Rules and Regulations in the said recited Acts respectively contained, for the sole Purpose of draining wet or marshy Lands, without being charged or chargeable with any Duty for or in respect of such Tiles or Bricks: And Whereas it is expedient that such Parts and so much of the said recited Acts as relate to the making of Tiles and Bricks for such Purpose as aforesaid, free from Duty, should be repealed; Be it therefore enacted, That from and after the passing of this Act such Parts and so much of the said recited Acts as relate to the making of Tiles and Bricks for the sole Purpose of draining wet or marshy Land free from Duty shall be and the same are hereby respectively repealed, excepting always so far as the same relate to such Tiles or Bricks as shall before the passing of this Act have been made for the sole Use or Purpose of draining wet or marshy Land, or to any Penalty or Penalties incurred before the passing of this Act for the using of any such Tiles or Bricks for any other Purpose than as aforesaid; and that from and after the passing of this Act it shall and may be lawful to and for any Person or Persons to make Tiles or Bricks for the sole Purpose of draining wet or marshy Land without being charged or chargeable with any Duty for or in respect of such Tiles or Bricks: Provided always, that all such Tiles or Bricks shall be stamped or moulded by the Person or Persons making the same with the Word "Drain" in or near the Centre of one of the Surfaces of such Tile or Brick, in so plain and distinct a Manner that the same may be easily and distinctly legible to any Officer of the Excise or other Person examining the same, both before and after such Tiles or Bricks shall have gone through the Process of Burning and become fit for Use; and if any Person or Persons making such Tiles or Bricks as aforesaid, or any other Person or Persons, shall sell or deliver, use or employ,

34 G.3. c.15.

42 G.3. c.93.
† Sic.

46 G.3. c.138.
§ 3.

55 G.3. c.176.

1 & 2 G.4.
c.102.

5 G.4. c.75.
in part repealed.

In what case
Tiles or Bricks
may be made
for draining
Lands, Duty
free.

Unduly using
such Tiles or
Bricks.

any such Tiles or Bricks so stamped or moulded as aforesaid for any other Purpose than that of 'draining wet or marshy Land, he, she or they, for every such Offence shall forfeit and lose the Sum of Fifty Pounds, such Penalty to be recovered and applied as any other Penalty incurred under any Act or Acts of Parliament relating to the Duties of Excise.

Penalty.

25 G.3. c.74.
§ 13.

IV. And Whereas by an Act passed in the Twenty fifth Year of the Reign of His late Majesty King *George* the Third, for repealing the Duty imposed on Tea by an Act passed in the last Session of Parliament, and for granting other Duties in lieu thereof; for repealing so much of several Acts as relates to the Removal of Tea; for directing the Officers of Excise to examine and certify the Exportation of exciseable Commodities; and for better securing the Duties on Candles; it is provided and enacted, that upon the Exportation to Foreign Parts of exciseable Goods and Commodities by way of Merchandize, in respect of which a Drawback of the Excise Duty thereon is payable, the Exporter, or his Clerk or Manager, is, in order to obtain a Debenture for the Payment of such Drawback, required to make Oath, (or Affirmation, if a Quaker,) amongst other Things therein, that he believes the Duties upon such Commodities had been fully paid; and it sometimes happens that exciseable Goods or Commodities are exported upon Drawback before the Duties charged thereon have become payable, and it is therefore expedient to amend the Oath or Affirmation so required to be made as aforesaid; Be it further enacted, That in all Cases where any exciseable Goods or Commodities are exported on Drawback by way of Merchandize to Foreign Parts there shall be added to the Words in the Oath or Affirmation required to be made, of the Exporter or his Clerk or Manager's Belief that the Duties upon such Commodities had been fully paid, the Words following, "or secured to be paid;" and that the Oath (or Affirmation, if a Quaker,) of the Exporter or his Clerk or Manager, as aforesaid, with such Addition as aforesaid, shall be accepted and taken to be sufficient for the Purpose of entitling such Exporter to receive a Debenture for the Payment of such Drawback as aforesaid in that behalf.

The Oath required where exciseable Goods are exported on Drawback by way of Merchandize.

23 G.3. c.77.

V. And Whereas an Act was passed in the Twenty third Year of the Reign of His late Majesty King *George* the Third, for the more effectual Encouragement of the Manufactures of Flax and Cotton in *Great Britain*, which was to continue in force for Two Years from the First Day of *January* One thousand seven hundred and eighty four, and from thence to the End of the then next Session of Parliament; and which said Act was by several subsequent Acts revived, amended and further continued until the Twenty fifth Day of *July* One thousand eight hundred and twenty two, and from thence, as so amended, by another Act passed in the Third Year of the Reign of His present Majesty, until the Fifth Day of *July* One thousand eight hundred and twenty six, so far as the same relates to Starch or any Allowance or Allowances of the Duties thereon, and also for the Purposes mentioned in the said Act of the Third Year of the Reign aforesaid in respect to Soap, and the Allowances payable by Law in respect thereof: And Whereas it is expedient that the said recited Act passed in the Twenty third Year of the

‘ the Reign of His late Majesty as so amended, and also the said
 ‘ Act passed in the Third Year of the Reign of His present
 ‘ Majesty, for continuing and amending the same, intituled *An*
 ‘ *Act to continue, until the twenty fifth Day of January One thou-*
 ‘ *sand eight hundred and twenty six, an Act of the Twenty third*
 ‘ *Year of His late Majesty, for the more effectual Encouragement*
 ‘ *of the Manufacture of Flax and Cotton in Great Britain, and to*
 ‘ *amend the Law in respect of the Allowances of Excise Duties on*
 ‘ *Starch and Soap used in certain Manufactures,* should be made
 ‘ perpetual;’ Be it therefore enacted, That the said recited Act
 passed in the Twenty third Year of the Reign of His said late
 Majesty, so amended as aforesaid, and also the said recited Act
 passed in the Third Year of the Reign of His present Majesty,
 shall be and the same are hereby made perpetual.

as amended by
 subsequent
 Acts, and also
 3 G.4. c.25.
 made per-
 petual.

59 G.3. c.107.

‘ VI. And Whereas by an Act passed in the Fifty ninth Year
 ‘ of the Reign of His late Majesty King *George the Third*, for
 ‘ consolidating and amending several Acts for regulating the
 ‘ granting of Permits and Certificates for the Conveyance and
 ‘ Protection of certain Goods in *Ireland*, it is enacted, that all
 ‘ Tea exceeding the Weight of Two Pounds that shall be carrying
 ‘ or conveying, or carried or conveyed, from any Part or Place in
 ‘ *Ireland* to any other Part thereof, whether from any Part of
 ‘ any City or Town to another Part thereof, or from one Town or
 ‘ Place to another Town or Place, may be seized by any Officer
 ‘ or Officers of Customs or Excise, and shall be forfeited, unless
 ‘ the Carrier or Person conveying the same, or the Person in
 ‘ whose Possession the same shall be, shall on Demand made by
 ‘ any such Officer produce to such Officer a Permit pursuant to
 ‘ the Provisions of the said Act, authorizing the Removal of such
 ‘ Goods, and shall allow such Officer to inspect and examine
 ‘ such Permit: And Whereas it is expedient to allow the Re-
 ‘ moval of Tea in *Ireland* in any Quantity not exceeding the
 ‘ Weight of Six Pounds Avoirdupois, without such Permit;’ Be
 it therefore enacted, That from and after the passing of this Act
 it shall and may be lawful for any Person or Persons to remove
 Tea in any Quantity not exceeding the Weight of Six Pounds
 Avoirdupois, from any Part or Place in *Ireland* to any other Part
 thereof, without Permit; and that such Regulations, Directions
 and Provisions as hereinbefore recited shall be taken to extend and
 apply only to Tea removed in *Ireland* in any Quantity exceeding
 the Weight of Six Pounds Avoirdupois; any Thing therein con-
 tained to the contrary notwithstanding.

§ 10.

Any Quantity
 of Tea not ex-
 ceeding Six
 Pounds Weight
 may be re-
 moved from
 Place to Place
 in *Ireland* with-
 out Permit.

‘ VII. And Whereas by an Act passed in the Fourth Year of
 ‘ the Reign of His present Majesty, for granting certain Duties
 ‘ of Excise upon Spirits distilled from Corn or Grain in *Scotland*
 ‘ and *Ireland*, and upon Licences for Stills for making such Spirits,
 ‘ and for providing for the better collecting and securing such
 ‘ Duties, and for the warehousing of such Spirits without Payment
 ‘ of Duty, it is enacted, that it shall and may be lawful for every
 ‘ Distiller or Maker of Spirits in *Scotland* and *Ireland* respectively,
 ‘ licensed under the said Act, to warehouse any Spirits distilled
 ‘ in the Distillery of such Distiller without Payment of the Duty
 ‘ of Excise chargeable thereon, according to the Provisions of
 ‘ the said Act, and under and subject to such Rules and Regu-
 ‘ lations

4 G.4. c.24.

§ 66.

Distillers in Scotland and Ireland may warehouse Spirits in Casks herein described, subject to the Regulations respecting distilling, warehousing and Removal of Spirits.

lations as the Commissioners of Excise, or any Two of them, shall from time to time direct or order, in any Warehouse provided or approved of by the Commissioners of Excise; provided always, that all such Spirits shall be contained in Casks of not less than One hundred Gallons Content each: And Whereas it is expedient that the Quantity in which such Spirits may be so warehoused should be altered; Be it therefore enacted, That from and after the passing of this Act it shall and may be lawful for every such Distiller or Maker of Spirits so to warehouse any such Spirits as aforesaid, in Casks which shall contain not less than Eighty Gallons each, subject to and under in all other respects the Rules and Regulations in force in *Scotland* and *Ireland* respectively relating to the distilling, warehousing and Removal of such Spirits.

VIII. And Whereas under and by virtue of the several Acts in force in *Ireland* the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being is and are authorized to order Advances of Money to be made from time to time out of the Produce of the Consolidated Fund of *Great Britain* and *Ireland* arising in *Ireland*, towards defraying the Expences of performing or carrying on certain public Works, and for other public Purposes in the said Acts mentioned, and also towards defraying the Expences incurred in carrying into Execution the several Acts for the Appointment of Magistrates and Constables in certain Cases; and the several Collectors of Excise are also authorized and required to advance and pay certain other Sums of Money for other public Purposes; and several of the Sums of Money so advanced are directed to be repaid, and to be raised and levied by a Presentment of the Grand Jury; and the Treasurer of every County, County of a City or County of a Town in *Ireland* is directed and required, when any such Sum or Sums shall be received by him, to pay the same over to the Collector of Excise of the District in which such County, County of a City or County of a Town shall be situate, to be accounted for by him as any other public Money in his Hands; and it is expedient to provide for the more regular and speedy Payment to such Collector of all such Sum and Sums of Money as shall be levied and received as aforesaid;

Be it therefore enacted, That the Treasurer of every County, County of a City and County of a Town in *Ireland* shall and he is hereby directed and required, within Twenty Days next after the Commencement of each Assizes (or Term, if in the County or County of the City of *Dublin*), to pay to the Collector of Excise of the District or Collection in which such County, County of a City or County of a Town shall be situate, all and every such Sum and Sums of Money as such Treasurer shall have received on any of the Accounts aforesaid, and any Balance or Balances which shall then be in his Hands; and if any such Treasurer shall neglect to pay over to the Collector of Excise in Manner and within the Time aforesaid all such Sum or Sums of Money and all and every such Balance and Balances as aforesaid, he shall for every such Default forfeit the Sum of Fifty Pounds, together with a Sum after the Rate of Six Pounds *per Centum per Annum* on the Amount of the Money so by him not paid over as aforesaid, for such

Treasurers of Counties within the Time herein mentioned to pay to Collectors of Excise all Sums received for public Purposes, and Balances in hand.

Penalty.

such Time as he shall not pay over the same as aforesaid, every such Penalty to be sued for and recovered by Action, Bill, Plaint or Information in any Court of Record in *Ireland*, by or in the Name of His Majesty's Attorney General for *Ireland*, for the Use of His Majesty, and in which Proceedings no Essoign, Protection, Wager of Law or more than One Imparlance, shall be allowed: Provided always, that it shall and may be lawful for the Treasurer of every County, County of a City or County of a Town, if he shall think proper, to pay within the Time aforesaid all such Sum and Sums of Money and Balance and Balances aforesaid to the Collector of Excise in *Dublin* at his Office in the Custom House in the City of *Dublin*; and such Treasurer making such Payment shall and he is hereby required to transmit, within Four Days after the making of the same, to the proper Collector of Excise of the District or Collection aforesaid, the Acknowledgement of the Collector of Excise in *Dublin* of such Payment; and every such Collector of the District or Collection aforesaid shall immediately and without Delay, upon receiving every such Acknowledgement, transmit to such Treasurer his Receipt for the Sum which shall be expressed in the Acknowledgement which shall be so given by such Collector in *Dublin*, and such Receipt shall be a sufficient Discharge to such Treasurer for the Sum expressed therein; and every such Treasurer who shall so obtain such Acknowledgement of the Collector of Excise in *Dublin*, and shall transmit the same to the proper Collector of Excise of the District or Collection aforesaid, according to the Directions aforesaid, shall not be liable to any such Penalties aforesaid; any Thing thereinbefore contained to the contrary notwithstanding.

Treasurers may pay such Sums to Collector of Excise in *Dublin* within the Time limited, transmitting the Acknowledgement of such Payment to District Collector, who shall give a Receipt to Treasurer free from Penalties.

C A P. L.

An Act for raising the Sum of Thirteen millions two hundred thousand Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and twenty six.

[26th May 1826.]

[*This Act is the same as Cap. 2. ante, except as to the Sum thereby granted.*]

C A P. LI.

An Act to confirm Sales made by the Surveyor General and the Commissioners of the Land Revenue of the Crown, under an Act of the Forty eighth Year of His late Majesty.

[26th May 1826.]

‘ **W**HEREAS by an Act passed in the Forty eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act to improve the Land Revenue of the Crown in England, and also of His Majesty's Duchy of Lancaster*; reciting an Act passed in the Thirty eighth Year of His said late Majesty's Reign, intituled *An Act for making perpetual, subject to Redemption and Purchase in the Manner therein stated, the several Sums of Money now charged in Great Britain as a Land Tax for One Year, from the Twenty fifth Day of March One thousand seven hundred and ninety eight*; and another Act passed in the Forty

48 G.3. c.73.
reciting

38 G.3. c.60.

42 G.3. c.116.

§ 133.

‘ second Year of His said late Majesty’s Reign, intituled *An Act for consolidating the Provisions of the several Acts passed for the Redemption and Sale of the Land Tax into one Act, and for making further Provision for the Redemption and Sale thereof; and for removing Doubts respecting the Right of Persons claiming to vote at Elections for Knights of the Shire and other Members to serve in Parliament, in respect of Messuages, Lands or Tenements, the Land Tax upon which shall have been redeemed or purchased; by which the Surveyor General of the Land Revenues of the Crown for the Time being was empowered to contract for the Sale from time to time of such or so much of the Manors, Messuages, Lands, Tenements, Tithes, Mines, Minerals, Collieries, Woods, Wood Grounds, Fens, Marshes or Waste Lands, belonging to the Crown, within the Survey or Receipt of the Exchequer in England, as would raise a Sum sufficient for the Redemption of the Land Tax charged on the Land Revenue belonging to the Crown; and reciting, that in pursuance of the said recited Provision certain Parts of the Property of the Crown which were least productive in proportion to their Value had been selected for the Purpose of being sold, and a large Part thereof had actually been sold to great Advantage and the Augmentation of the Land Revenue of the Crown, but a considerable Portion of the different Kinds of Property so selected for Sale would still remain undisposed of after the necessary Fund for the Redemption of such Land Tax should have been raised, and that it was expedient that Power should be continued to the said Surveyor General to sell the said Portion of Property so remaining undisposed of under the said therein recited Acts, and to make further Sales of Property of the like Description; it was enacted, that it should be lawful for the said Surveyor General for the Time being to contract or agree with any Person or Persons, or any Bodies Politic or Corporate, for the Sale from time to time of such Manors or Lordships belonging to the Crown as consisted of Manorial Rights and Quit Rents without any Lands or with very small Quantities of Land belonging to them, and where the greater Part of the Lands over which the Manorial Rights extended was the Property of Individuals, and of Manors or Lands of which His Majesty was not the sole Proprietor, but was entitled to an undivided Share jointly with Individuals, and of Lands dispersed in small Quantities and intermixed with the Property of Individuals, and lying remote from other Property belonging to the Crown, and of Grounds or Buildings appertaining to or anciently held with any Castle or strong Building then or then lately used for a Common Gaol, or with any Building used for holding the Assizes or Sessions in any County or District, or for a Court House or Gaoler’s House, or in which the Magistrates of any County or District might claim to have Rights, from Length of Use or Enjoyment, for the public Purposes of such County or District, and of Tithes belonging to the Crown issuing out of Lands which were the Property of Individuals, and of Mills, Fisheries and Ferries, and Mooring Chains and Wastes belonging to the Crown, the Possession of which had been usurped or encroached upon, for the best Prices or Considerations in Money which the said Surveyor General should be able to procure for*

‘ the

48 G.3. c.73.

§ 13.

' the same, and the Purchase Money to be paid for the same
 ' should from time to time be paid into the Bank of *England*,
 ' to the Account of the Commissioners of His Majesty's Treasury,
 ' in like Manner as the Monies arising from the Sales of Land
 ' Revenue authorized by the said therein recited Acts of the
 ' Thirty eighth and Forty second Years of His then present
 ' Majesty were directed to be paid; and all Sales made under
 ' the now reciting Act of the Property thereinbefore described
 ' should be made in the same Manner and Form, and under the
 ' like Rules and Regulations and Provisions, and should be to all
 ' Intents and Purposes as valid and effectual, as if the same had
 ' been made under the said recited Acts of the Thirty eighth and
 ' Forty second Years of His then present Majesty, or either of
 ' them: And Whereas by an Act passed in the Fiftieth Year of 50 G.3. c.65.
 ' the Reign of His said late Majesty King *George the Third*,
 ' intituled *An Act for uniting the Offices of Surveyor General of*
 ' *the Land Revenues of the Crown, and Surveyor General of His*
 ' *Majesty's Woods, Forests, Parks and Chases*, it was amongst
 ' other Things enacted, that the Business thitherto transacted and § 1.
 ' the Powers exercised by the Surveyor General of the Land
 ' Revenue of the Crown, and also the Business thitherto transacted
 ' and the Powers exercised by and the Revenue under the
 ' Management of the Surveyors or Surveyor General of His
 ' Majesty's Woods, Forests, Parks and Chases, should be jointly
 ' conducted and managed by the Commissioners to be appointed
 ' by His Majesty as therein mentioned; and such Commissioners
 ' so to be appointed should be and be called "The Commissioners
 ' of His Majesty's Woods, Forests and Land Revenues;" and that
 ' all Acts, Matters and Things to be done by them should be as
 ' valid and effectual, to all Intents and Purposes, as if the same
 ' had been done by any such Surveyor General of the Land
 ' Revenue of the Crown, or by any such Surveyors or Surveyor
 ' General of His Majesty's Woods, Forests, Parks and Chases,
 ' or of any of them: And Whereas several Sales have been made
 ' and completed (by and under the Authority and Direction of
 ' the Commissioners of His Majesty's Treasury of the United
 ' Kingdom of *Great Britain and Ireland*) by the Surveyor General
 ' of the Land Revenues of the Crown, and by the Commissioners
 ' of His Majesty's Woods, Forests and Land Revenues, of Estates,
 ' Lands and Hereditaments belonging to His Majesty, to Sir
 ' *Herbert Taylor*, a Knight Companion of the Bath, and a Lieu-
 ' tenant General in His Majesty's Army, and several other Per-
 ' sons; and such Estates, Lands and Hereditaments have been
 ' conveyed to the respective Purchasers in the Manner and Form
 ' prescribed by the said Act of the Forty eighth Year of the Reign
 ' of His said late Majesty, and the Purchase Monies arising from
 ' such Sales have been applied and disposed of according to the
 ' Directions of the same Act: And Whereas Doubts have arisen
 ' whether some of the Estates, Lands and Hereditaments so sold
 ' as aforesaid are within the Description of Lands or Heredit-
 ' aments referred to in the said recited Act of the Forty eighth
 ' Year of the Reign of His late Majesty, and thereby authorized
 ' to be sold as aforesaid: And Whereas it is expedient that such
 ' Doubts should be removed, and that all Sales which have been
 ' made of Estates, Lands and Hereditaments belonging to the
 ' Crown

Sales of Lands, &c. made by Surveyor General of Land Revenues or Commissioners of Woods and Forests, with Consent of Treasury, under 48 G.3. c. 79. confirmed; and the Purchasers who have conformed to the Directions of the said Act to have peaceable Possession.

' Crown under the said recited Act should be confirmed.' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Sales which have been made under the Direction and with the Consent of the said Commissioners of His Majesty's Treasury, by the Surveyor General of the Land Revenues of the Crown, or by the Commissioners of His Majesty's Woods, Forests and Land Revenues, by and under the Authority or supposed Authority of the said recited Act of the Forty eighth Year of His late Majesty King *George* the Third, as aforesaid, or according to the Forms prescribed by the said Act, shall be and the same are hereby ratified and confirmed and made valid, as fully and effectually, to all Intents and Purposes whatsoever, as if the Estates, Lands and Hereditaments so sold as aforesaid had been particularly mentioned and specifically described in the said Act; and the respective Purchasers of such Estates, Lands and Hereditaments, who have obtained Certificates of their Purchases and inrolled the same, and paid the Purchase Monies therein mentioned as directed by the said last mentioned Act, and their respective Heirs, Successors and Assigns, shall be adjudged, deemed and taken to be in the actual Seisin and Possession of the Estates, Lands, Rights, Interests and Hereditaments so by them respectively purchased, and shall hold and enjoy the same peaceably and quietly, freed and discharged from all Claims and Demands of His Majesty, His Heirs and Successors, or of any Person or Persons claiming under him or them, as fully and amply, to all Intents and Purposes, as His Majesty, His Heirs and Successors, might or could have held and enjoyed the same if such Sales had not taken place; and such respective Purchaser or Purchasers, his, her or their Heirs, Successors or Assigns, shall not be liable to be hereafter disturbed under any Pretence or Pretences that the Estates, Lands and Hereditaments so sold and purchased by him, her or them as aforesaid, were not saleable under the Powers or Authorities of the said recited Act of the Forty eighth Year of the Reign of His late Majesty as aforesaid, or any other Pretence or Pretences whatsoever.

C A P. LII.

An Act for defraying the Expence of any additional Naval Force to be employed in the *East Indies*.

[26th May 1826.]

53 G.3. c. 155.

§ 58.

' **W**HEREAS by an Act passed in the Fifty third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for continuing in the East India Company for a further Term the Possession of the British Territories in India, together with certain exclusive Privileges; for establishing further Regulations for the Government of the said Territories and the better Administration of Justice within the same; and for regulating the Trade to and from the Places within the Limits of the said Company's Charter*, Provision is made for defraying all the Charges and Expences of raising and maintaining the Forces, as well *European* as *Native*, Military, Artillery and Marine, on the Establishments in the *East Indies* and Parts within

‘ within the Limits aforesaid, and of maintaining the Forts and
 ‘ Garrisons there, and providing Warlike and Naval Stores: And
 ‘ Whereas it is expedient that similar Provision should be made
 ‘ for Payment by the said Company of the Expences of any
 ‘ Naval Force which now is or at any Time hereafter may be
 ‘ sent to the *East Indies* or Parts aforesaid, for the Purpose of
 ‘ being employed in Hostilities with any of the Native Powers:’
 May it therefore please Your Majesty that it may be enacted:
 And be it enacted by the King’s most Excellent Majesty, by
 and with the Advice and Consent of the Lords Spiritual and
 Temporal, and Commons, in this present Parliament assembled,
 and by the Authority of the same, That all the Charges and Ex-
 pences of sending out and employing in the *East Indies* and
 Parts aforesaid the Naval Force which hath been lately sent out
 by His Majesty, upon the Representation of the Court of Direc-
 tors of the said United Company, with the Approbation of the
 Commissioners for the Affairs of *India*, and also all the Charges
 and Expences of any Naval Force which may hereafter be sent
 out by His Majesty, His Heirs or Successors, upon the Represent-
 ation of the Court of Directors of the said United Company, and
 with the Approbation of the said Commissioners, for the Purpose
 of being employed in Hostilities against any of the Native Powers
 in the *East Indies* or Parts aforesaid, shall be borne by the said
 United Company as Part of their Political Charges, and the
 Amount thereof shall from time to time, as the same shall be
 ascertained, be paid into the Receipt of the Exchequer, in such
 Manner as the Commissioners of His Majesty’s Treasury of the
 United Kingdom of *Great Britain* and *Ireland* shall direct.

Charges and
 Expences of
 Naval Forces
 sent out on
 Representation
 of Directors of
 East India
 Company, to
 be defrayed by
 Company.

C A P. LIII.

An Act to regulate the Importation of Silk Goods until the
 Tenth Day of *October* One thousand eight hundred and
 twenty eight, and to encourage the Silk Manufactures by
 the Repeal of certain Duties. [26th May 1826.]

‘ **W**HEREAS by an Act passed in the last Session of Parlia-
 ‘ ment, intituled *An Act to repeal the several Laws relating*
 ‘ *to the Customs*, the Laws by which the Importation of Wrought
 ‘ Silk is prohibited will, from and after the Fifth Day of *July* next,
 ‘ be repealed; and it is expedient to make Regulations for the
 ‘ Importation of such Goods when the same shall become lawful:
 ‘ And Whereas by another Act passed in the last Session of Par-
 ‘ liament, intituled *An Act for granting Duties of Customs*, cer-
 ‘ tain rated Duties are charged upon the Importation of Raw and
 ‘ Thrown Silk according to the Weight thereof, and a Duty of
 ‘ Thirty Pounds *per Centum* is charged upon the Importation of
 ‘ Wrought Silks according to the Value thereof; and it is expe-
 ‘ dient that during the Pleasure of Parliament the said rated
 ‘ Duties should be reduced, and also that the Amount of Duty
 ‘ intended to be raised upon the Importation of Wrought Silks
 ‘ should, as far as may be practicable, be ascertained and charged
 ‘ by a rated Duty according to the Weight thereof, instead of a
 ‘ Duty *per Centum* according to the Value:’ Be it therefore
 enacted by the King’s most Excellent Majesty, by and with the
 Advice and Consent of the Lords Spiritual and Temporal, and
 Commons,

6 G.4. c.105.

6 G.4. c.111.

From 5th July
1826 until
10th October
1828, the Du-
ties herein men-
tioned shall be
paid upon Im-
portation of
Silks.

Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifth Day of *July* next, and until the Tenth Day of *October* One thousand eight hundred and twenty eight, in lieu and instead of the Duties imposed by the last mentioned Act, on Silk Goods, and set forth in a Table thereunto annexed, denominated, "Table of Duties of Customs Inwards," the several Duties set forth in Figures in the Table hereinafter contained, and denominated "Table of Temporary Duties on Silk Goods," shall be raised, levied, collected and paid unto His Majesty, in like Manner as if the same had been imposed by the said Act hereinbefore mentioned, and set forth in the said Table thereunto annexed; that is to say,

TABLE OF TEMPORARY DUTIES ON SILK GOODS.

A TABLE of the DUTIES of CUSTOMS payable on SILK and SILK GOODS imported into the United Kingdom from Foreign Parts.

INWARDS.						Duty.		
Silk; viz.						£	s.	d.
—	Knubs or Husks of Silk	-	-	-	the lb.	0	0	1
—	Raw Silk	-	-	-	the lb.	0	0	1
—	Thrown, not dyed; viz.							
- - -	Singles	-	-	-	the lb.	0	2	0
- - -	Tram	-	-	-	the lb.	0	3	0
- - -	Organzine and Crape Silk	-	-	-	the lb.	0	5	0
—	Thrown Silk, dyed; viz.							
- - -	Singles or Tram	-	-	-	the lb.	0	4	0
- - -	Organzine and Crape Silk	-	-	-	the lb.	0	6	8
—	Manufactures of Silk only, or whereof Nine Tenth Parts are of Silk, and no Part is of Gold, Silver, or other Metal; viz.							
- - -	Stuffs; viz.							
- - -	Plain	-	-	-	the lb.	0	15	0
- - -	Figured	-	-	-	the lb.	1	0	0
- - -	Satin, Plain	-	-	-	the lb.	0	16	0
- - -	Figured	-	-	-	the lb.	1	1	0
- - -	Tissue, or Brocaded	-	-	-	the lb.	1	0	0
- - -	Gauze, Plain	-	-	-	the lb.	0	17	0
- - -	Striped, Figured or Brocaded	-	-	-	the lb.	1	7	6
- - -	Crape	-	-	-	the lb.	0	16	0
- - -	Lisse	-	-	-	the lb.	0	17	4
- - -	China, Plain or Figured	-	-	-	the lb.	0	18	0
- - -	Velvet, Plain	-	-	-	the lb.	1	2	0
- - -	Figured	-	-	-	the lb.	1	7	6
- - -	Ribbons; viz.							
- - -	Plain	-	-	-	the lb.	0	15	0
- - -	Figured	-	-	-	the lb.	0	17	0
- - -	Satin, Plain	-	-	-	the lb.	0	16	0
- - -	Figured	-	-	-	the lb.	0	18	0
- - -	of Gauze, Plain or Figured	-	-	-	the lb.	1	11	6
- - -	of Velvet, Plain	-	-	-	the lb.	1	2	0
- - -	Figured	-	-	-	the lb.	1	7	6
- - -	Fancy Silk Net or Tricot	-	-	-	the lb.	1	4	0

INWARDS.		Duty.		
		£	s.	d.
Silk ; Stockings; viz.				
- - -	the Dozen Pairs (or if Half Stockings, the Two Dozen Pairs), not being of greater Weight than Nine Ounces - - - the lb.	4	0	0
- - -	the Dozen Pairs (or if Half Stockings, the Two Dozen Pairs), being of greater Weight than Nine Ounces, and not of greater Weight than Twelve Ounces, the lb.	3	0	0
- - -	the Dozen Pairs (or if Half Stockings, the Two Dozen Pairs), being of greater Weight than Twelve Ounces, and not of greater Weight than One Pound, the lb.	1	10	0
- - -	the Dozen Pairs (or if Half Stockings, the Two Dozen Pairs), being of greater Weight than One Pound, and not of greater Weight than One Pound and a Half - - - the lb.	1	1	0
- - -	the Dozen Pairs (or if Half Stockings, the Two Dozen Pairs), being of greater Weight than One Pound and a Half, and not of greater Weight than Two Pounds - - - the lb.	0	16	0
- - -	the Dozen Pairs (or if Half Stockings, the Two Dozen Pairs), being of greater Weight than Two Pounds - - - the lb.	0	12	0
- - -	and further, if with Figured or Lace Work, in addition to the above Rates - - - the lb.	0	12	0
—	Stocking Web - - - the lb.	0	12	0
—	Gloves - - - the lb.	0	15	0
—	Plain Silk Lace, called Net or Tulle - the square yard	0	1	4
— Manufactures of Silk mixed with other Materials; viz.				
- - -	Stuffs mixed with Gold, Silver or other Metals, viz.			
- - -	Plain - - - the lb.	1	10	0
- - -	Figured - - - the lb.	1	16	0
- - -	Gauze; viz.			
- - -	mixed with Gold, Silver or other Metal, Plain or Figured - - - the lb.	2	0	0
- - -	mixed with Cotton, Thread or Worsted; viz.			
- - -	Plain - - - the lb.	0	15	0
- - -	Striped or Figured - - - the lb.	1	0	0
- - -	mixed also with Gold, Silver or other Metal, Plain or Figured - - - the lb.	1	10	0
- - -	Velvets or Shags of Silk; viz.			
- - -	mixed with Gold, Silver or other Metal, the lb.	2	4	0
- - -	shot with Cotton or Thread only; viz.			
- - -	Plain - - - the lb.	0	15	0
- - -	Figured - - - the lb.	0	18	0
- - -	mixed with Gold, Silver or other Metal, Plain or Figured, - - - the lb.	1	10	0
- - -	Ribbons of Silks; viz.			
- - -	mixed with Gold, Silver or other Metal; viz.			
- - -	Plain - - - the lb.	1	10	0
- - -	Figured - - - the lb.	1	16	0
- - -	Ribbons of Gauze, mixed with Gold, Silver or other Metal, Plain or Figured - - - the lb.	2	10	0

INWARDS.	Duty.
Silk; the Produce of and imported from Places within the Limits of the East India Company's Charter; viz.	<i>£ s. d.</i>
- - - Bandannoes and all other Handkerchiefs, in Pieces not exceeding Six Yards in Length - the piece	0 6 0
- - - if more than Six Yards in Length, and not exceeding Seven Yards in Length - the piece	0 7 0
- - - and further, for every additional Length not exceeding a Yard - - -	0 1 0
- - - Taffaties and other Plain or Figured Silks, not otherwise described - - - the lb.	0 10 0
- - - Canton or China Crapes - - - the lb.	0 10 0
- - - if Flowered or Tamboured with Silk the lb.	1 4 0
- - - Manufactures of Silk, or of Silk and any other Material, not otherwise charged with Duty	
for every <i>£</i> 100 of the Value	30 0 0
- - - all Piece Goods, whether otherwise enumerated or not, and however imported, if entered for Home Use before the 5th Day of January 1827,	
for every <i>£</i> 100 of the Value	30 0 0
— Millinery of Silk, or of which the greater Part of the Materials is of Silk; viz.	
- - - Turbans or Caps - - - each	0 15 0
- - - Hats or Bonnets - - - each	1 5 0
- - - Dresses - - - each	2 10 0
- - - or, and at the Option of the Officers of the Customs,	
for every <i>£</i> 100 of the Value	50 0 0
— Manufactures of Silks, or of Silk and any other Material, not particularly enumerated or otherwise charged with Duty	
for every <i>£</i> 100 of the Value	30 0 0
— Articles of Manufactures of Silk, or of Silk and any other Material, wholly or in part made up, not particularly enumerated or otherwise charged with Duty,	
for every <i>£</i> 100 of the Value	30 0 0

6 G. 4. c. 107.

Certain Silks
subject to Re-
strictions on
Importation.

‘ II. And Whereas another Act was passed in the last Session of Parliament, intituled *An Act for the general Regulation of the Customs*; and in a Table contained in such Act, denominated “ A Table of Prohibitions and Restrictions Inwards,” there is set forth a List of Goods subject to certain Restrictions on Importation, and it is expedient to subject Wrought Silks to certain Restrictions Inwards; Be it therefore enacted, That until the Tenth Day of October One thousand eight hundred and twenty eight, the several Restrictions set forth in a List hereinafter contained, denominated a List of Wrought Silks subject to Restrictions on Importation, shall be obeyed and enforced in like Manner as if the same were set forth in the List before mentioned contained in the said Act; (that is to say,)

A LIST

A LIST of WROUGHT SILKS subject to certain Restrictions on Importation.

Wrought Silks shall not be imported into any Port other than the Port of *London*, until after the Fifth Day of *July* One thousand eight hundred and twenty seven :

— except into the Port of *Dublin* direct from the Port of *Bordeaux* :

— and except - Silks the Produce of and imported from Places within the Limits of the *East India Company's* Charter, into any Port into which Goods in general, the Produce of such Places, may be imported :

— and except - Crape, Gauze, Lace, Net or Tulle, Fancy Net or Tricot, Millinery and Dresses, imported into the Port of *Dover*, or into any Port into which Goods, the Produce of Places within the Limits of the *East India Company's* Charter, may be imported :

— and except - Silks imported to be warehoused for Exportation only, into Ports into which Goods, the Produce of Places within the Limits of the *East India Company's* Charter, may be imported :

Wrought Silks shall not be imported in Vessels of less Burthen than Seventy Tons, except direct from the Port of *Calais* into the Ports of *Dover*, in Vessels of Sixty Tons or upwards :

Wrought Silks shall not be imported unless in Packages each of which shall contain at least One hundred Pounds Weight of Wrought Silk :

— or, - (being Crape, Gauze, Lace, Net or Tulle, Fancy Net or Tricot, Millinery or Dresses,) in Packages each of which shall be of the Capacity of Nine Cubic Feet at least, and shall contain only such Silks :

— being Broad Silks or Ribbons, (except Handkerchiefs, Shawls, Scarfs, Net or Tulle, Fancy Net or Tricot, and except Silks the Produce of and imported from Places within the Limits of the *East India Company's* Charter,) shall not be imported for Home Use, unless in Pieces or Half Pieces, of the respective Lengths hereinafter mentioned ; that is to say,)

— Broad Silks, - in Pieces not less than Sixty Yards in Length, nor more than Sixty six Yards in Length :

— - - or, (being velvets, or Silks mixed with other Materials,) in Half Pieces not less than Twenty nine Yards in Length, nor more than Thirty two Yards in Length :

— Ribbons, - in Pieces not less than Thirty five Yards in Length, nor more than Thirty seven Yards in Length ; or in Half Pieces not less than Seventeen Yards in Length, nor more than Nineteen Yards in Length :

— All such Pieces and Half Pieces shall be separate and entire, and each of uniform Quality throughout, and, if of Broad Silks, shall be finished in the Loom with Ferrels or Marks at each End wove in :

Wrought Silks in Pieces, wound or rolled, whether on Blocks or Rollers, or not, shall not be imported for Home Use :

— except - Silks the Produce of and imported from Places within the Limits of the *East India Company's* Charter.

The

The following Articles, although partly composed of Silk, shall not be subject to the Regulations or Restrictions contained in this Table ; (that is to say,)

Artificial Flowers and other similar Imitations :

Umbrellas, Parasols, Fans, Screens and other Articles not for Dress or Furniture :

Articles of Materials other than Silk made up with Silk, or to which Silk is only applied by Needlework or Embroidery :

Stuffs, of the Materials of which Silk shall not amount to One Tenth Part.

Certain Silks not to be subject to the Restrictions of this Act.

III. Provided always, and be it further enacted, That nothing in this Act contained shall extend to prohibit the entering, for Home Use, of any Wrought Silks which shall have been warehoused before the Fifteenth Day of *March* One thousand eight hundred and twenty six ; nor to prevent any Passenger coming into the United Kingdom from bringing with him or her, into any Port, any Wrought Silks, in Pieces which may legally be imported for Home Use, and any Articles of Silk made up, whether worn or not, although not in Packages of the Weight or Size hereinbefore required, provided such Pieces and such Articles be *bona fide* for his or her own Use, and not for Sale, and the Quantity in the whole be not more than Ten Pounds' Weight : Provided also, that the Duty on such Articles, whether worn or not, be paid, and be in all Cases ascertained according to the Value thereof.

Proviso.

Drawback on Soap used in Silk Manufactures.

IV. And Whereas it would tend to encourage the Manufacture of Silk Goods in the United Kingdom if the Duties of Excise on certain Materials were remitted or repealed ; Be it therefore enacted, That in respect of all Soap used and consumed in the Process of throwing, printing, or dyeing of Silk from and after the Fifth Day of *April* One thousand eight hundred and twenty six, and for which the Duties of Excise shall have been duly paid, or secured to be paid, a Drawback of all such Duties shall be allowed and paid to the Person so using the same, upon such Proofs and under such Regulations as the Commissioners of Excise shall require and appoint.

Excise Duties on printing of Silks to cease.

V. And be it further enacted, That from and after the Fifth Day of *April* One thousand eight hundred and twenty six, all Duties of Excise imposed upon the printing of Silks, save and except any Arrears thereof, and all Drawbacks in respect of such Duties, shall cease and determine ; and if any such Duty shall have been paid before the Commencement of this Act, which shall have been charged after the said Fifth Day of *April*, the same shall be returned, under such Regulations as the Commissioners of Excise shall appoint.

43 G.3. c.69. Sch. A.

VI. And Whereas by an Act passed in the Forty third Year of the Reign of His late Majesty King *George* the Third, to repeal the Duties of Excise payable in *Great Britain*, and to grant other Duties in lieu thereof ; and also by another Act passed in the Forty fifth Year of His said late Majesty's Reign, for granting to His Majesty several additional Duties of Excise in *Great Britain*, certain Duties are imposed upon Gilt Wire and Silver Wire respectively made in *Great Britain*, and certain countervailing Duties are imposed upon *Irish* Gilt Wire and upon *Irish*

45 G.3. c.30. Sch. A.

‘ *Irish Silver Wire* respectively, and upon *Irish Gold Thread*,
‘ *Gold Lace* or *Gold Fringe* made of *Plate Wire* spun upon *Silk*,
‘ and upon *Irish Silver Thread*, *Silver Lace* or *Silver Fringe* made
‘ of *Plate Wire* spun upon *Silk*, and which shall be severally im-
‘ ported into *Great Britain* direct from *Ireland*; and certain *Draw-*
‘ *backs* are also by the said recited Acts respectively allowed upon
‘ *Gold Thread*, *Gold Lace* or *Gold Fringe* made of *Plate Wire*
‘ spun upon *Silk*, such *Plate Wire* being made of *Gilt Wire* made
‘ in *Great Britain*, for which all the Duties shall have been paid,
‘ and upon all *Silver Thread*, *Silver Lace* or *Silver Fringe* made
‘ of *Plate Wire* spun upon *Silk*, such *Plate Wire* being made of
‘ *Silver Wire* made in *Great Britain*, for which all the Duties
‘ imposed in respect thereof shall have been paid, and which shall
‘ severally be duly exported as Merchandize to Foreign Parts:

6 G.4. c.81.

‘ And Whereas by another Act passed in the Sixth Year of the
‘ Reign of His present Majesty King *George* the Fourth, to repeal
‘ several Duties payable on Excise Licences in *Great Britain* and
‘ *Ireland*, and to impose other Duties in lieu thereof, and to amend
‘ the Laws for granting Excise Licences, a Duty is imposed upon
‘ every Licence thereby required to be taken out by every Wire
‘ Drawer or other Person who shall draw or cause to be drawn
‘ any *Gilt* or *Silver Wire*, commonly called *Big Wire*: And
‘ Whereas it is expedient to repeal the several Duties and *Draw-*
‘ *backs* hereinbefore recited, and so much and such Parts of a
‘ certain Act, passed in the Tenth Year of the Reign of Her late
‘ Majesty Queen *Anne* (amongst other Things), for laying ad-
‘ ditional Duties on *Hides* and *Skins*, *Vellum* and *Parchment*, and
‘ new Duties on *Starch*, *Coffee*, *Tea*, *Drugs*, *Gilt* and *Silver Wire*,
‘ and Policies of Insurance, to secure a yearly Fund for Satisfaction
‘ of Orders to the Contributors of a further Sum of One million
‘ eight hundred thousand Pounds towards Her Majesty’s Supply,
‘ as relate to *Gilt* and *Silver Wire* and *Big Wire* respectively;

10 Ann. c.26.

Be it therefore enacted, That from and after the Fifth Day of
July One thousand eight hundred and twenty six, the said several
Duties and Drawbacks hereinbefore recited, and so much and such
Parts of the said Act passed in the said Tenth Year of the Reign
of Her said late Majesty as relates to *Gilt Wire*, *Silver Wire*, and
Big Wire respectively, shall be and the same are hereby respect-
ively repealed, save and except as to any Arrear of such Duties
which shall at that Time remain unpaid, and as to any Penalty or
Forfeiture theretofore incurred in respect of such Duties and *Draw-*
backs, or under so much of such Act of Her late Majesty Queen
Anne as is hereby repealed.

Duties and
Drawbacks on
Gold and Silver
Wire, and
Gold and
Silver Thread
and Lace, of
10 Ann. c.26.
repealed.

C A P. LIV.

An Act for the Registration of Aliens. [26th May 1826.]

56 G.3. c.86.

‘ WHEREAS in the Fifty sixth Year of the Reign of His late Majesty an Act was passed, intituled *An Act for establishing Regulations respecting Aliens arriving in or resident in this Kingdom, in certain Cases, for Two Years from the passing of this Act, and until the End of the Session of Parliament in which the said Two Years shall expire, if Parliament shall be then sitting; which Act has by several subsequent Acts been continued, and will expire in the Course of the present Year: And Whereas it is expedient that in lieu of the Regulations of the said Act Provision should be made for a complete Registration of all Aliens in this Realm; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Alien who shall at the Commencement of this Act be in this Realm, shall on the same Day, or within Fourteen Days thereafter, make a Declaration in Writing of his or her Place of Abode, Names, Rank, Occupation and Description; and if a Domestic Servant, then also the Place of Abode, Names, Rank and Description of his or her Master or Mistress, and of the Country and Place from whence he or she came, or of which he or she is a Native, and of the Time when he or she last came from Foreign Parts into this Realm; and shall, within the said Fourteen Days, transmit such Declaration by the Post, if in *Great Britain*, to One of His Majesty's Principal Secretaries of State at the Alien Office in *Westminster*, and if in *Ireland*, to the Chief Secretary of the Lord Lieutenant or Chief Governor of *Ireland*; such Declaration being signed by the Party making it, if he or she be able to write, or otherwise being attested by a Magistrate of the Place, or by the officiating Minister of the Parish, or by One or more of the Churchwardens or Overseers of the Poor of the Parish or Township where such Alien shall be: Provided always, that One Declaration shall be sufficient for a Parent or Parents and any Number of Children, if made in Manner aforesaid by the Father, or in case of his Death or Incapacity, by the Mother.*

Aliens who shall be in the Realm at Commencement of Act shall make a Declaration of Particulars herein mentioned, and transmit the same to Alien Office, as herein mentioned.

One Declaration for each Family.

Masters of Vessels arriving from Foreign Parts to make Declaration of Aliens.

II. And be it further enacted, That the Master of every Vessel which, after the Commencement of this Act, shall arrive in this Realm from Foreign Parts, shall immediately on his Arrival declare in Writing to the Chief Officer of the Customs at the Port of Arrival, whether there is, to the best of his Knowledge, any Alien on board his Vessel, and whether any Alien hath, to his Knowledge, landed therefrom at any Place within this Realm; and shall in his said Declaration specify the Number of Aliens (if any) on board his Vessel, or who have, to his Knowledge, landed therefrom, and their Names, Rank, Occupation and Description, as far as he shall be informed thereof; and if the Master of any such Vessel shall refuse or neglect to make such Declaration, or shall make a false Declaration, he shall for every such Offence forfeit the Sum of Twenty Pounds, and the further Sum of Ten Pounds for each Alien who shall have been on board at the Time of the Arrival of such

Penalty,

such Vessel, or who shall have, to his Knowledge, landed therefrom within this Realm, whom such Master shall wilfully have refused or neglected to declare; and in case such Master shall neglect or refuse forthwith to pay such Penalty, it shall be lawful for any Officer of the Customs, and he is hereby required to detain such Vessel until the same shall be paid: Provided always, that nothing hereinbefore contained shall extend to any Mariner whom the Master shall certify in Writing by him subscribed to be actually employed in the Navigation of such Vessel during the Time that such Mariner shall remain so actually employed; which Certificate so subscribed every such Master is hereby required to give.

Vessel detained
till Payment.

Proviso for
Foreign Ma-
riners navigat-
ing Vessel.

III. And be it further enacted, That every Alien who shall after the Commencement of this Act arrive in any Part of the United Kingdom from Foreign Parts, or pass from *Great Britain* to *Ireland* or from *Ireland* to *Great Britain*, shall immediately after such Arrival or Passage deliver to the Chief Officer of the Customs at the Port of Debarkation any Passport which shall be in his or her Possession, and declare in Writing to such chief Officer or verbally make to him a Declaration, to be by him reduced into Writing, of the Name of the Vessel in which he or she shall have arrived, and also of his or her Names, Rank, Occupation and Description, and if a Domestic Servant, then also the Names, Rank and Description of his or her Master or Mistress; and shall also in like Manner declare the Country and Place from whence he or she shall then have come, and the Place within this Realm to which he or she is then going, and the Name and Place of Abode of the Person within this Realm (if any) to whom he or she is known, which Declaration shall be made in or reduced into such Form as shall be approved by One of His Majesty's Principal Secretaries of State; and if any such Alien coming into this Realm shall neglect or refuse to deliver up his or her Passport, he shall forfeit and pay the Sum of Five Pounds; and if he or she shall neglect or refuse to make such Declaration, or shall wilfully make any false Declaration, he or she shall be punished in the Manner herein-after mentioned.

Alien on
Arrival from
abroad to de-
clare Particu-
lars, and deliver
his Passport.

Penalty.

IV. And be it further enacted, That the Officer of the Customs to whom such Passport shall be delivered and Declaration made, shall immediately register such Declaration in a Book to be kept by him for that Purpose, (in which Book Certificates shall be printed in Blank, and Counterparts thereof, in such Form as shall be approved by One of His Majesty's Principal Secretaries of State,) and shall insert therein the several Particulars by this Act required in proper Columns, in both Parts thereof, excepting such Particulars as shall be inserted in the Column of Remarks, which shall be entered only in One of such Parts, and shall cut off One Part of such Certificate containing all the Particulars, excepting such as shall be contained in the Column of Remarks, and deliver the same to the Alien who shall have made such Declaration.

Officer of Cus-
toms to register
Declaration,
and deliver a
Certificate to
Alien.

V. And be it further enacted, That the Chief Officer of the Customs in every Port shall within Two Days transmit the Declaration of every Master of a Vessel, and every Passport, and a true Copy of every such Certificate, if in *Great Britain*, to One of His Majesty's Principal Secretaries of State at the Alien Office in *Westminster*, and if in *Ireland*, to the Chief Secretary for *Ireland*.

Officer of Cus-
toms to trans-
mit Declara-
tion, &c. to
Alien Office.

Alien to produce or transmit Certificate to Alien Office, and make Declaration where he intends to reside.

Punishment.

Alien to declare Residence Half yearly.

Punishment.

Secretary of State, &c. may require a more frequent Declaration.

Alien neglecting.

Punishment.

Alien making false Declarations, or ne-

VI. And be it further enacted, That every Alien arriving in this Realm after the Commencement of this Act, shall, within One Week after his or her Arrival at the Place which shall be expressed in such Certificate as the Place to which he or she proposes to go, produce such Certificate, if such Place shall be in the City of *Westminster*, or within Five Miles thereof, at the Alien Office in *Westminster*, and shall declare in Writing at what Place he or she intends to reside; and if the Place expressed in the Certificate shall be out of the Limits aforesaid, shall make a Declaration in Writing at what Place he or she intends to reside, and transmit the same by the Post, if in *Great Britain*, to One of His Majesty's Principal Secretaries of State at the Alien Office in *Westminster*, and if in *Ireland*, to the Chief Secretary for *Ireland*; and if any such Alien shall neglect or refuse to produce such Certificate, or to make or transmit such Declaration as aforesaid, or shall wilfully make or transmit any false Declaration respecting any of the Particulars aforesaid, he or she shall be punished in the Manner hereinafter mentioned.

VII. And be it further enacted, That every Alien being in this Realm after the Commencement of this Act, shall, on the First Day of *January* and on the First Day of *July* in every Year, or within One Week after those respective Days, make a Declaration in Writing of his or her Place of Residence, and therein state at what Place he or she intends in future to reside, and shall within the same Week transmit such Declaration by the Post, if in *Great Britain*, to One of His Majesty's Principal Secretaries of State at the Alien Office in *Westminster*, and if in *Ireland*, to the Chief Secretary for *Ireland*; and if any Alien shall neglect or refuse to make or transmit such Declaration as last aforesaid, or shall wilfully make or transmit any false Declaration, he or she shall be punished in the Manner hereinafter mentioned.

VIII. And be it further enacted, That it shall be lawful for One of His Majesty's Principal Secretaries of State to require any Alien, being in *Great Britain*, and for the Chief Secretary for *Ireland* to require any Alien, being in *Ireland*, to make a Declaration of his or her actual Place of Residence, and of the Place at which he or she intends to reside in future, at shorter Intervals than such a Declaration is hereinbefore required, which Intervals may be either limited by Time, or made to depend on the Alien's Change of Residence, as to such Principal Secretary or Chief Secretary respectively shall seem meet; and such Requisition may be made either by a Warrant under the Hand and Seal of such Principal Secretary or Chief Secretary respectively, to be delivered to the Alien, or left at his or her last declared Place of Residence, or otherwise by a Notice to be published in the *London Gazette*, or in the *Dublin Gazette*, as the Case may be; and every Alien named in any such Warrant or Notice shall make and transmit such Declaration as often as he or she shall be required so to do by such Warrant or Notice; and if he or she shall neglect or refuse so to do, he or she shall be punished in the Manner hereinafter mentioned.

IX. And be it further enacted, That if any Alien in any of the Cases aforesaid shall neglect to make such Declaration as is by this Act required, or to transmit the same, in the Cases in which he is required

required so to do, within the Time in that Behalf limited, or shall wilfully make or transmit any false Declaration, every Person so offending shall, upon Conviction thereof before Two Justices of the Peace, for every such Offence, either forfeit any Sum not exceeding Fifty Pounds, or be imprisoned for any Time not exceeding Six Months, at the Discretion of such Justices.

glecting to make same.

Penalty.

X. And be it further enacted, That upon the Receipt at the Alien Office, or at the Office of the Chief Secretary for *Ireland*, of any Declaration, in any of the Cases aforesaid, such Clerk as shall be for that Purpose nominated by One of His Majesty's Principal Secretaries of State, or by the Chief Secretary for *Ireland* respectively, shall within Three Days make out, in such Form as shall be for that Purpose approved by One of His Majesty's Principal Secretaries of State, a Certificate, setting forth the Names, Rank, Occupation and Description of the Alien, and his or her Place of Abode, and shall transmit the same by the Post to such Alien; and if any Alien shall, by his or her Default, not be possessed of such Certificate, or shall without any lawful Excuse reside in any other Place than that expressed in such Certificate, every such Alien shall for every such Offence forfeit the Sum of Twenty Pounds; and if any Alien, being required by any Justice of the Peace to produce such Certificate, shall refuse or neglect so to do, he or she shall be deemed not to be possessed of any Certificate.

Certificate to be forwarded to Alien.

Contents thereof.

Not having Certificate, or residing elsewhere.

Penalty.

XI. And be it further enacted, That where any Alien, about to depart from this Realm after the Commencement of this Act, shall be desirous of having Possession of the Passport by him or her delivered on his or her Debarkation, and shall notify by Letter to the Alien Office in *Westminster*, or to the Chief Secretary's Office in *Dublin*, the Port at which he or she intends to embark, the proper Clerk of those respective Offices shall forthwith transmit such Passport by the Post to the Chief Officer of the Customs of the Port so notified, to be by him delivered to such Alien, on his or her making the Declaration hereinafter next mentioned; and every such Alien shall, before his or her Embarkation, declare in Writing his or her Intention of departing, and shall deliver such Declaration to the Chief Officer of the Customs at the Port of Departure, who shall forthwith transmit the same, if in *Great Britain*, to One of His Majesty's Principal Secretaries of State at the Alien Office in *Westminster*, and if in *Ireland*, to the Chief Secretary for *Ireland*; and if any Alien shall neglect to make such Declaration, or to deliver the same to the Chief Officer of the Customs at the Port of Departure, he or she shall for every such Offence forfeit the Sum of Five Pounds.

Alien on Departure may have his Passport sent to the Port, and delivered to him on making Declaration.

Neglect of Declaration. Penalty.

XII. And be it further enacted, That if any Certificate issued to any Alien by virtue of this Act shall be lost, mislaid or destroyed, and such Alien shall produce to One of His Majesty's Justices of the Peace Proof thereof, and shall make it appear to the Satisfaction of such Justice that he or she hath duly conformed with this Act, it shall be lawful for such Justice, and he is hereby required, to testify the same under his Hand, and such Alien shall thereby be entitled to demand a fresh Certificate, which shall be of the like Force and Effect as the Certificate so lost, mislaid or destroyed.

New Certificates to be issued in lieu of such as are lost.

Certificate
without Fee.

Taking Fee.

Penalty.

Officer other-
wise offending.

Penalty.

Forging Certi-
ficates, &c.

Penalty.

Prosecution of
Offences.

Proceedings.

Certiorari, &c.

Proviso for
Foreign Minis-
ters and Ser-
vants;

and for other
Aliens herein
described.

XIII. And be it further enacted, That all Certificates herein-
before required to be given shall be given without any Fee or
Reward whatsoever; and every Person who shall take any Fee
or Reward of any Alien or other Person, for any Certificate, or
any other Matter or Thing done under this Act, shall forfeit for
every such Offence the Sum of Twenty Pounds; and every Officer
of the Customs who shall refuse or neglect to make such Entry as
aforesaid, or grant any Certificate thereon, in pursuance of the
Provisions of this Act, or shall knowingly make any false Entry,
or neglect to transmit the Copy thereof, or to transmit any De-
claration of the Master of a Vessel, or any Declaration of Depart-
ure in Manner directed by this Act, shall forfeit for every such
Offence the Sum of Twenty Pounds.

XIV. And be it further enacted, That if any Person shall wil-
fully forge, counterfeit or alter, or cause to be forged, counter-
feited or altered, or shall utter, knowing the same to be forged,
counterfeited or altered, any Declaration or Certificate hereby
directed, or shall obtain any such Certificate under any other
Name or Description than the true Name and Description of the
Alien intended to be named and described, without disclosing to
the Person granting such Certificate the true Name and Descrip-
tion of such Alien, and the Reason for concealing the same, or
shall falsely pretend to be the Person intended to be named and
described in any such Certificate; every Person so offending shall,
upon Conviction thereof before Two Justices, either forfeit any
Sum not exceeding Fifty Pounds, or be imprisoned for any Time
not exceeding Six Months, at the Discretion of such Justices.

XV. And be it further enacted, That all Offences against this
Act shall be prosecuted within Six Calendar Months after the
Offence committed, except that of not making or delivering a
Declaration of Departure, which shall be prosecuted within Six
Calendar Months after the Offender's Return to this Realm; and
all such Offences shall be prosecuted before Two or more Justices
of the Peace of the Place where the Offence shall be committed,
who are required, in default of Payment of any pecuniary Penalty,
to commit the Offender to the common Gaol for any Time not ex-
ceeding Six Calendar Months, unless the Penalty shall be sooner
paid, and forthwith to report to One of His Majesty's Principal
Secretaries of State, or to the Chief Secretary for *Ireland*, as the
Case may require, the Conviction of every Offender under this
Act, and the Punishment to which he is adjudged; and no Writ
of Certiorari, or of Advocation or Suspension, shall be allowed to
remove the Proceedings of any Justices touching the Cases afore-
said, or to supersede or suspend Execution or other Proceeding
thereupon.

XVI. Provided always, and be it further enacted, That nothing
in this Act contained shall affect any Foreign Ambassador, or other
Public Minister duly authorized; nor any Domestic Servant of any
such Foreign Ambassador or Public Minister, registered as such
according to Law, or being actually attendant upon such Amba-
sador or Minister; nor any Alien who shall have been continually
residing within this Realm for Seven Years next before the passing
of this Act, and obtained from the Alien Office a Certificate thereof;
nor any Alien in respect of any Act done or omitted to be done,
who

who shall be under the Age of Fourteen Years at the Time when such Act was so done or omitted to be done: Provided always, that if any Question shall arise whether any Person alleged to be an Alien, and to be subject to the Provisions of this Act, is an Alien or not, or is or is not subject to the said Provisions, or any of them, the Proof that such Person is, or by Law is to be deemed to be, a natural born Subject of His Majesty, or a Denizen of this Kingdom, or a naturalized Subject, or that such Person, if an Alien, is not subject to the Provisions of this Act, or any of them, by reason of any Exception contained in this Act or otherwise, shall lie on the Person so alleged to be an Alien, and to be subject to the Provisions of this Act.

Provide as to
Party being
an Alien.

XVII. And be it further enacted, That this Act shall commence on the First Day of July in the Year One thousand eight hundred and twenty six.

Commence-
ment of Act.

C A P. LV.

An Act to regulate the Manner of taking the Poll at Elections of Knights of the Shire to serve in Parliament for the County of York. [26th May 1826.]

WHEREAS by an Act of Parliament made and passed in the Eighteenth Year of the Reign of His late Majesty King George the Second, intituled *An Act to explain and amend the Laws touching the Election of Knights of the Shire to serve in Parliament for that Part of Great Britain called England*, it is enacted, that from and after the Twenty fourth Day of June One thousand seven hundred and forty five, at every Election to be made within that Part of Great Britain called England, or Dominion of Wales, of any Knight or Knights of the Shire to serve in Parliament, the Sheriff, or in his Absence the Under Sheriff, or such as he shall depute, shall appoint, make or erect, or cause to be appointed, made or erected, at the Expence of the Candidates, such Number of convenient Booths or Places for taking the Poll as the Candidates or any of them shall, Three Days at least before the Commencement of the Poll, desire, so as the same do not exceed the Number of Rapes, Lathes, Wapentakes, Wards or Hundreds within the said County, and not exceeding in the Whole the Number of Fifteen; and shall affix or cause to be affixed on the most public Part of each of the said Booths or Polling Places the Name or Names of the Rape, Wapentake, Lathe, Ward or Hundred, or Rapes, Wapentakes, Lathes, Wards or Hundreds, for which such Booth or Polling Place is allotted or designed; and the said Sheriff, Under Sheriff, or such Person as he shall depute, shall appoint a proper Clerk or Clerks at each of the said Booths or Polling Places to take the Poll (which said Clerk or Clerks shall be at the Expence of the Candidates, and be paid not exceeding One Guinea *per* Day each Clerk); and the said Sheriff or Under Sheriff shall also make out a List for each of the said Booths or Polling Places respectively, of all the several Towns, Villages, Parishes and Hamlets lying or being wholly or in part in the Rape, Wapentake, Lathe, Ward or Hundred, or in the several Rapes, Wapentakes, Wards or Hundreds, for which such Booth or Polling Place is allotted or de-

18 G.2. c.18.

‘ signed, and shall, upon Request made, deliver a true Copy thereof
 ‘ to any of the Candidates or their Agents who shall desire the
 ‘ same, taking for each of the said Copies the Sum of Two Shillings
 ‘ and no more: And Whereas the County of *York* is of great
 ‘ Extent, and the Number of Persons who polled at the Election
 ‘ of Knights of the Shire for the said County in the Year One
 ‘ thousand eight hundred and seven exceeded Twenty three thou-
 ‘ sand; and several Persons were prevented from polling for want
 ‘ of a sufficient Number of Booths or Places for taking the Poll,
 ‘ and by the progressive Subdivision of Property the Number of
 ‘ Persons entitled to vote is, since the Time of the said Election,
 ‘ considerably increased: And Whereas it is expedient to make
 ‘ Provision for the more effectual and convenient taking of the
 ‘ Poll in the said County:’ Be it therefore enacted by the King’s
 most Excellent Majesty, by and with the Advice and Consent of
 the Lords Spiritual and Temporal, and Commons, in this present
 Parliament assembled, and by the Authority of the same, That so
 far as relates to the County of *York*, so much of the said Act of
 the Eighteenth Year of the Reign of His said late Majesty King
George the Second as is hereinbefore recited shall be and the
 same is hereby repealed.

In part repealed,

At Elections for
 County of
York, Sheriff
 shall erect such
 Number of
 Booths as shall
 be required,
 and make out
 Lists of Towns,
 &c. for which
 such Booths
 are designed.

II. And be it further enacted, That from and after the passing
 of this Act, at every Election of any Knights or Knight of the
 Shire to serve in Parliament for the County of *York*, the Sheriff,
 or in his Absence the Under Sheriff, or such Person as he shall
 depute, shall appoint, make or erect, or cause to be appointed,
 made or erected, at the Expence of the Candidates, such Number
 of convenient Booths or Places for taking the Poll as the Can-
 didates or any of them shall, Three Days at least before the Com-
 mencement of the Poll, desire, and shall affix or cause to be affixed
 on the most public Part of each of the said Booths or Polling Places
 the Name or Names of the Wapentake or Wapentakes for which
 such Booth or Polling Place is allotted or designed; but in case
 there shall be Two or more Booths or Polling Places for any One
 Wapentake or Division, then both the Name or Description of the
 Portion of such Wapentake or other Division, and the Name or
 Names of the Towns, Villages, Parishes and Hamlets for which
 each respective Booth or Polling Place is allotted or designed;
 and the said Sheriff or Under Sheriff, or such Person as he shall
 depute, shall appoint a proper Clerk or Clerks at each of the said
 Booths or Polling Places, to take the Poll (which said Clerk or
 Clerks shall be at the Expence of the Candidates, and be paid
 not exceeding One Pound *per* Day each Clerk); and the said
 Sheriff or Under Sheriff shall also make out a List for each Booth
 or Polling Place respectively of all the several Towns, Villages,
 Parishes and Hamlets lying or being wholly or in part in the Wapen-
 take or Wapentakes, or Portion of a Wapentake or other Division
 for which such Booth or Polling Place is designed, and shall, upon
 Request made, deliver a true Copy thereof to any of the Can-
 didates or their Agents who shall desire the same, taking for each
 of the said Copies the Sum of One Shilling and no more.

III. And be it further enacted, That the Election for Knights
 of the Shire for the said County shall, in all other Respects, be
 managed in Conformity with the Directions of the said hereinbefore
 in

Copies to be
 delivered.

Fee.

Elections in
 other Respects
 to be conform-

in part recited Act, except so far as the same is hereby repealed, and under the Directions of the several other Acts now in force relative to such Elections.

able to recited
and former
Acts.

C A P. LVI.

An Act to suspend the Provisions of an Act of His late Majesty, respecting the Appointment of Writers in the Service of the *East India* Company, and to authorize the Payment of the Allowances of the Civil and Military Officers of the said Company dying while absent from *India*.

[26th May 1826.]

WHEREAS by an Act passed in the Fifty third Year of the Reign of His late Majesty King George the Third, intituled *An Act for continuing in the East India Company for a further Term the Possession of the British Territories in India, together with certain exclusive Privileges; for establishing further Regulations for the Government of the said Territories, and the better Administration of Justice within the same; and for regulating the Trade to and from the Places within the Limits of the said Company's Charter*, it was among other things enacted, that it should not be lawful for the Court of Directors of the United Company of Merchants of *England* trading to the *East Indies*, to nominate, appoint or send to the Presidencies of *Fort William*, *Fort Saint George* or *Bombay*, any Person in the Capacity of a Writer, unless such Person should have been duly entered at the College of the said Company in *England*, and have resided there Four Terms according to the Rules and Regulations thereof, and should also produce to the said Court of Directors a Certificate under the Hand of the Principal of the said College, testifying that he has for the Space of Four Terms been a Member of and duly conformed himself to the Rules and Regulations of the said College: And Whereas there is not a sufficient Number of Persons qualified, according to the Provisions of the said Act, to be appointed Writers to fill the Vacancies which exist and which are likely to occur in the Civil Establishments of the said Presidencies in the *East Indies*: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That at any Time within Three Years from the passing of this Act it shall and may be lawful for the Court of Directors of the said United Company to nominate and appoint and to send to the Presidencies of *Fort William*, *Fort Saint George* or *Bombay*, in the Capacity of a Writer, any Person who shall produce such Testimonials of his Character and Conduct, and pass such an Examination as, by Rules and Regulations to be framed and established as hereinafter is mentioned, shall be required.

53 G.3. c.155.

§ 46.

Persons may be sent to India as Writers, on producing Testimonials and passing Examination.

II. And be it further enacted, That the said Court of Directors shall, and they are hereby required, with all convenient Speed, by and with the Consent and Approbation of the Board of Commissioners for the Affairs of *India*, to frame and establish proper Rules and Regulations respecting the due and necessary Qualifications of

Directors may, with Approbation of Board of Controul, establish Regulations re-

pecting Qua-
fications.

33 G. 3. c. 52.

§ 87.

Representatives
of Officers
dying during a
temporary Ab-
sence from their
Stations, may
receive Salaries.

Former Pay-
ments con-
firmed.
Proviso.

of Writers; and that it shall and may be lawful for the said Court of Directors, with the Consent and Approbation of the said Board of Commissioners, to alter and vary such Rules and Regulations from time to time as Circumstances may appear to require; and that the Rules and Regulations so altered and varied shall be of the same Force and Effect as the original Rules and Regulations.

‘ III. And Whereas by an Act passed in the Thirty third Year of the Reign of His late Majesty King George the Third, intituled *An Act for continuing in the East India Company for a further Term the Possession of the British Territories in India, together with their exclusive Trade, under certain Limitations; for establishing further Regulations for the Government of the said Territories, and the better Administration of Justice within the same; for appropriating to certain Uses the Revenues and Profits of the said Company; and for making Provision for the good Order and Government of the Towns of Calcutta, Madras and Bombay*, it was enacted, that if any Governor General, or any other Officer whatever in the Service of the said Company, should quit or leave the Presidency or Settlement to which he should belong, other than in the known actual Service of the said Company, the Salary and Allowances appertaining to his Office should not be paid or payable during his Absence to any Agent or other Person for his Use; and in the Event of his not returning back to his Station at such Presidency or Settlement, or of his coming to *Europe*, his Salary and Allowances should be deemed to have ceased from the Day of his quitting such Presidency or Settlement; any Law or Usage to the contrary notwithstanding: And Whereas it hath happened that Officers, as well Civil as Military, in the Service of the said Company, who have quitted the Presidencies or Settlements to which they respectively belonged in consequence of ill Health, with the Intention of returning to their Stations at such Presidencies or Settlements without proceeding to *Europe*, have died during such temporary Absence within the Limits of the said Company's Charter or at the *Cape of Good Hope*: And Whereas it is just and reasonable that the Representatives of such Officers should be entitled to the Salaries and Allowances of such Officers from the Time of quitting their Station;’ Be it therefore enacted, That it shall and may be lawful to and for the said Company to cause Payment to be made to the Representatives of Officers in their Service, Civil or Military, who having quitted or left their Stations, and not having proceeded or intended to proceed to *Europe*, but intending to return to their Stations, have died, or may hereafter happen to die, during their temporary Absence within the Limits of the said Company's Charter, or at the *Cape of Good Hope*, of such Salaries and Allowances, or such Portion of Salaries or Allowances, as the Officers so dying would have been entitled to if they had returned to their Stations.

‘ IV. And Whereas certain Payments have heretofore been made under the Circumstances aforesaid,’ Be it further enacted, That all such Payments so made shall be deemed and taken to have been legally made; any Thing in the said recited Act of Parliament to the contrary notwithstanding: Provided always, that nothing herein contained shall extend to authorize the said Com-
pany

pany to make any such Payment to the Representatives of any such Officer who shall have quitted or left his Station prior to the Second Day of May One thousand eight hundred and twenty one.

C A P. LVII.

An Act to amend and consolidate the Laws for the Relief of Insolvent Debtors in *England*. [26th May 1826.]

‘ WHEREAS an Act was passed in the First Year of the Reign of His present Majesty, intituled *An Act for the Relief of Insolvent Debtors in England, to continue in force until the First Day of June One thousand eight hundred and twenty five*; and a certain other Act passed in the Third Year of His said Majesty's Reign, intituled *An Act to amend an Act of the First Year of His present Majesty, for the Relief of Insolvent Debtors in England*; and a certain other Act passed in the Fifth Year of His said Majesty's Reign, intituled *An Act to amend certain Acts for the Relief of Insolvent Debtors in England*; and it is expedient to repeal the said Acts, except so far as is hereinafter provided, and to make further Provision for the Relief of Insolvent Debtors; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Powers given by the said Acts to the Court established by virtue of the said first recited Act shall be and the same are hereby continued and vested in the Court to be continued by virtue of this Act, as hereinafter provided, in so far as the same relate to or may be exercised in the Matters of the Petitions of any Persons who shall have petitioned the said Court so established as aforesaid for Relief under the Provisions of the said recited Acts, before the passing of this Act, or of any Persons who have obtained their Discharge by virtue of an Act passed in the Fifty third Year of His late Majesty's Reign, intituled *An Act for the Relief of Insolvent Debtors in England*; and that all Things shall and may be done by all Persons relating to the Matters of all such Petitions, which such Persons might have done if the said Three first recited Acts had been continued by this Act; and that the said Three first recited Acts (except as is hereinbefore provided) shall be, from and after the passing of this Act, repealed, and the same are hereby repealed, except as aforesaid.

1 G. 4. c. 119.

3 G. 4. c. 123.

5 G. 4. c. 61.
in part repealed.

But certain Powers given by recited Acts continued for the Purposes herein mentioned.

53 G. 3. c. 102.

II. And be it further enacted, That the Court now established for the Relief of Insolvent Debtors in *England* shall be continued, and that the several Persons appointed by His Majesty to be Chief and other Commissioners of the said Court shall continue to be the Chief and other Commissioners of the said Court so hereby continued, and to preside therein; and that it shall and may be lawful for His Majesty, from time to time, upon any Vacancy in any of the said Offices of Chief or other Commissioner, by Death or otherwise, to appoint other fit and proper Persons, being Barristers at Law of Ten Years' standing at the least, to be such Chief or other Commissioners, and to preside in the said Court accordingly; and that the several Persons appointed by the said Court

Court now established, and Commissioners and Officers continued.

Court to be Chief Clerk, Provisional Assignee or any other Officer of the said Court, according to the Provisions of the said first recited Act, shall continue to be the Chief Clerk, Provisional Assignee and other Officers of the said Court, so hereby continued; and that it shall be lawful for the said Court, from time to time, upon any Vacancy in any of the said Offices, by Death or otherwise, to appoint other fit and proper Persons to be such Chief Clerk, Provisional Assignee and other Officers; and that the said Court to be continued as aforesaid shall at all Times have Power to appoint such Officers as the Lord Chancellor, and the Lords Chief Justices of the Courts of King's Bench and Common Pleas, and the Lord Chief Baron of the Exchequer, shall judge to be necessary, and in such Manner as they shall direct.

Court to be a
Court of Re-
cord.

Seal of Court.

Powers of
Court and
Commissioners
as to Produc-
tion of Books.

III. And be it further enacted, That the said Court so continued as aforesaid shall be a Court of Record for the Purposes of this Act; and that the said Court shall cause to be made a Seal of the said Court, and shall cause to be sealed therewith all such Records, Proceedings, Documents and Copies of the same as are hereinafter expressly required to be so sealed, and such other Records, Proceedings, Documents and Copies of the same, as the said Court shall at any Time direct; and that the said Court, or any Commissioner thereof, acting under the Powers of this Act, may adjourn any Sitting of the said Court or Commissioner, as may be requisite, and may administer Oaths, and examine all Parties and Witnesses upon Oath, for the Purposes of this Act, and shall have such like and the same Powers of compelling the Attendance of Witnesses, both before the said Court, and before any Commissioner thereof, acting as aforesaid, and before an Officer of the Court or Examiner, as hereinafter mentioned, and before such Justices as are hereinafter mentioned, and of requiring and compelling the Production of Books and Writings, as are now possessed by any of the superior Courts at *Westminster*, and to order any Prisoner who shall have petitioned for Relief under this Act, or any Prisoner who shall be a necessary and material Witness in any Matter pending in the said Court, to be brought before the said Court or Commissioner, or Officer or Examiner, or Justices, as often as shall be requisite; and that the said Court, or any Commissioner thereof, acting as aforesaid, shall have the Power of committing all Persons guilty of any Contempt of the said Court to the Prison of the King's Bench, or to the Common Gaol of any County in which such Person shall be or shall usually reside; and that the said Court shall have the Power of fining in a summary Way, or removing any of the Officers of the said Court, who shall be guilty of any Negligence, wilful or unnecessary Delay, or other Misconduct whatsoever: Provided always, that the said Court, or any Commissioner thereof, shall not have the Power of awarding Costs against any Person or Persons whomsoever, except in such Cases only where such Costs are hereinafter expressly mentioned and permitted to be awarded by this Act; and that nothing herein contained shall extend to the compelling the Attendance of any Witness, unless the Party on whose Behalf such Witness shall be required to attend shall have previously

Fines for Ne-
glect of Of-
ficers.

Costs.

Compelling
Attendance of
Witnesses.

viously tendered to such Witness such Allowance for Expences for his Attendance as in the Judgment of the said Court, or of a Commissioner thereof, shall appear to be reasonable.

IV. And be it enacted, That all Proceedings and Matters to be heard by the said Court shall be heard and determined by the said Court at the Court House of the said Court in *Portugal Street, Lincoln's Inn Fields*, unless the said Court shall at any Time see cause to appoint its Sittings in any other Place, and shall appoint the same accordingly, which it is hereby empowered to do; and that it shall be lawful for any One Commissioner to hear and determine out of Court upon Summons to the proper Parties, all Matters and Things relating to any Person who shall have petitioned the said Court for Relief under this Act, or to his or her Estate, Property and Effects, or the Assignee or Assignees thereof, except the Hearing, Re-hearing or any Examination of any such Person; and the Order made in any such Behalf by such Commissioner shall be of as full Force and Effect, to all Intents and Purposes, as if the same had been made by the said Court, unless the same shall, upon Application to the said Court at the next following Sitting thereof, be by the said Court altered or rescinded.

At what Places
Court to sit.

One Commis-
sioner may hear
Matters out of
Court.

Alteration by
Court.

V. And be it enacted, That the said Court shall sit for the Dispatch of Business twice at least in every Week throughout the Year, and One or more of the said Commissioners shall attend for that Purpose: Provided nevertheless, that from and after the Expiration of Six Weeks from the last Day of *Trinity Term* until the First Day of *November* in every Year, the said Court shall have full Power and Authority to regulate and appoint the Sittings of the said Court at such Times as to the said Court shall appear fit and necessary for the due Administration of Justice in the said Court; and that no Adjournment of the said Court, during the Period aforesaid, shall be at any Time for more than Six Weeks.

Court to sit
twice a Week.
Power to regu-
late Sittings
otherwise.

VI. And be it enacted, That Three of the said Commissioners shall from time to time severally make Circuits, and give their Attendance at the several Assize or other Towns or Places at which any Prisoner or Prisoners shall be ordered to appear, as hereinafter provided; and that upon the Hearing of the Matters of any such Prisoner's Petition by such Commissioner on his Circuit, it shall and may be lawful for such Commissioner to make all such Orders, and to give all such Directions, and to do all such Matters and Things requisite for the discharging or remanding of such Prisoner, and for the Assignment and Application of the Estate and Effects of such Prisoner, and otherwise respecting such Prisoner, and his or her Petition and Schedule, and his or her Creditors and Assignees, as the said Court for the Relief of Insolvent Debtors may make, give or do in the Matters of Petitions heard by the said Court, according to this Act; and that in each and every Matter to be heard and inquired into by such Commissioner, according to the Provisions of this Act, such Commissioner shall have the same Power as the said Court would have therein if the same were heard and inquired into by the said Court; and that all Judgments, Rules, Orders, Directions and Proceedings, pronounced, made and done in all and every the Matters aforesaid,

Commissioners
to make Cir-
cuits.

Power of Com-
missioner on
Circuit.

aforesaid, by such Commissioners, shall be transmitted to the said Court, signed by such Commissioner, to be a Record of the said Court, and to be kept as such among the Records thereof.

Time and Man-
ner of making
Circuits.

Travelling Ex-
pences paid.

One Commis-
sioner to remain
in London.

Proviso for all
Commissioners
to be on Cir-
cuit.

Time of Cir-
cuits to be ad-
vertised.

Commissioner
not arriving,
Court to stand
adjourned.

Cause of Non-
attendance sig-
nified to Secre-
tary of State.

VII. And be it further enacted, That the said Circuits shall be made Three Times in each Year, if requisite, and that the Time and Manner of making the same, and the Officers necessary to attend the Commissioners thereupon, shall be regulated in such Manner as shall be appointed by the Commissioners of the said Court, with the Approbation of One of His Majesty's Principal Secretaries of State for the Time being; and that it shall and may be lawful for the Lord High Treasurer or Lords Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland* for the Time being, to direct that such Sum or Sums shall be paid as may appear fit and necessary for the defraying the travelling Expences of such Commissioners and Officers in Execution of their Duties under this Act; and that during the said Circuits One of the said Commissioners shall be attendant and presiding in the said Court: Provided always, that if on any particular Occasion the said Commissioners shall be of opinion that it would be expedient that all the said Commissioners should be absent from the said Court on Circuits in different Places at the same Time, it shall and may be lawful to and for such Commissioners to state such Opinion, together with the Grounds and Reasons thereof, in Writing, to One of His Majesty's Principal Secretaries of State for the Time being; and thereupon, if such Secretary of State shall approve thereof, and such Approval shall be notified in Writing to such Commissioners by such Secretary of State, it shall and may be lawful to and for all the said Commissioners to be so absent from the said Court as aforesaid at the same Time, in such Places respectively as shall be so stated and approved, and for that Purpose to adjourn the said Court for such Time as shall be approved in and by such Notification.

VIII. And be it enacted, That the said Court shall cause Notice of the Time and Place or Places of the Attendance of such Commissioner in each Assize or other Town or Place, according to this Act, to be given in the *London Gazette*, and in some public Journal or Newspaper circulated in the County wherein such Town or Place is situate, once in each of the Two Weeks immediately preceding the Time appointed for such Attendance: Provided always, that if on the Day appointed for such Attendance such Commissioner shall not attend at the Court House or other Place appointed for such Attendance, then and in every such Case the Court to be held by such Commissioners shall be considered as adjourned to the ensuing Day, not being a *Sunday*; and if the ensuing Day should be a *Sunday*, then to the next Day, *Monday*, and so on from Day to Day, until the said Commissioner shall give his Attendance; and that all Persons summoned or bound or having occasion to attend such Court, shall thereupon be bound to attend the same, according to every such Adjournment, in the same Manner in all Respects as if the said Commissioner had regularly sat and so adjourned the said Court; and that when such Commissioner shall so give his Attendance, he shall proceed to dispatch the Business of the said Court in the same Manner in all Respects as if he had regularly sat, and had himself made such

Adjournment

Adjournment or Adjournments of the same ; and that he shall thereupon without Delay state in Writing the Reason or Cause which prevented his Attendance on the Day appointed for such Attendance, and shall subscribe such Statement, and shall send the same forthwith by His Majesty's Post to One of His Majesty's Principal Secretaries of State.

IX. And be it enacted, That no Fee or Gratuity shall be received or taken by the said Court or any Officer thereof, of or from any Person whomsoever, on any Pretence whatsoever, except such Fees as shall at any Time be specified in a List thereof to be signed by the Commissioners of the said Court, a Copy of which List shall always be exposed to View in the Office of the said Court. Fees.

X. And be it enacted, That from and after the passing of this Act, it shall be lawful for any Person who shall be in actual Custody, within the Walls of any Prison in that Part of the United Kingdom called *England*, upon any Process whatsoever, for or by reason of any Debt, Damage, Costs, Sum or Sums of Money, or for or by reason of any Contempt of any Court whatsoever for Nonpayment of any Sum or Sums of Money, or of Costs taxed or untaxed, either ordered to be paid or to the Payment of which such Person would be liable in purging such Contempt, or in any Manner in consequence or by reason of such Contempt, at any Time within the Space of Fourteen Days next after the Commencement of the actual Custody of such Prisoner, whether such Commencement shall have been in the same Prison or in any other Prison, or the Rules or Liberties of any Prison ; or afterwards, if the said Court shall in any Case think reasonable to permit the same, to apply by Petition in a summary Way to the said Court for his or her Discharge from such Custody, according to the Provisions of this Act ; and in such Petition shall be stated the Time and Place of the First Arrest of such Prisoner, in the Cause or Causes wherein he or she shall then be detained, and the Time of his or her Commitment to the Prison where he or she shall then be confined ; and if such Prisoner shall not have been in the same Custody from the Time of such First Arrest, then the Means and Manner by which the Change of Custody of such Prisoner has taken place, and also the Name or Names of the Person or Persons at whose Suit or Prosecution such Prisoner shall at the Time of presenting such Petition be detained in Custody, and the Amount of the Debt or Debts, Sum or Sums of Money, and of such Costs as aforesaid, so far as the Amount of such Costs is ascertained, for which he or she shall be so detained ; and it shall also be stated, whether such Prisoner has at any prior Time, and when, petitioned the said Court or any other Court, for his or her Discharge, under any Act for the Relief of Insolvent Debtors or under an Act passed in the Thirty second Year of the Reign of His late Majesty King George the Second, intituled *An Act for the Relief of Debtors with respect to the Imprisonment of their Persons, and to oblige Debtors who shall continue in Execution in Prison beyond a certain Time, and for Sums not exceeding what are mentioned in the Act, to make Discovery of, and deliver upon Oath their Estates for the Creditors' Benefit* ; and whether such Prisoner has or has not obtained any such What Persons may apply to Court in a summary Way.

Time of petitioning.

What shall be stated in Petition.

32 G. 2. c. 28.

such Discharge, in pursuance of any such Petition, and whether such Prisoner has at any prior Time been declared a Bankrupt, and in such Case, whether such Prisoner has obtained his or her Certificate ; and such Prisoner shall in such Petition state whether such Prisoner has given Notice to the Keeper of the Gaol or Prison in which he or she shall be confined, of his or her Intention to present the said Petition, which Notice the said Prisoner is hereby required to give in Writing to the Keeper of such Gaol or Prison ; and such Prisoner shall in such Petition pray to be discharged from Custody, and to have future Liberty of his or her Person, against the Demands for which such Prisoner shall be then in Custody, and against the Demands of all other Persons who shall be or claim to be Creditors of such Prisoner at the Time of presenting such Petition ; which Petition shall be subscribed by the said Prisoner, and shall forthwith be filed in the said Court.

Petition to be signed and filed.

Prisoner at Time of petitioning to make Assignment of Estate and Effects, except Wearing Apparel, &c. ;

and of future Estate ;

and of Debts.

Proviso for Assignment void, if Petition dismissed.

Power to dismiss Petition.

XI. And be it further enacted, That such Prisoner shall, at the Time of subscribing the said Petition, duly execute a Conveyance and Assignment to the Provisional Assignee of the said Court, in such Form as is to this Act annexed, of all the Estate, Right, Title, Interest and Trust of such Prisoner, in and to all the Real and Personal Estate and Effects of such Prisoner, both within this Realm and Abroad, except the Wearing Apparel, Bedding and other such Necessaries of such Person, and his or her family, and the Working Tools and Implements of such Prisoner, not exceeding in the Whole the Value of Twenty Pounds, and of all future Estate, Right, Title, Interest and Trust of such Prisoner, in or to any Real and Personal Estate and Effects within this Realm or Abroad which such Prisoner may purchase, or which may revert, descend, be devised or bequeathed, or come to him or her, before he or she shall become entitled to his or her final Discharge in pursuance of this Act, according to the Adjudication made in that Behalf ; or in case such Prisoner shall obtain his or her Discharge from Custody without any Adjudication being made in the Matter of his or her Petition, then before such Prisoner shall be at large and out of Custody, and of all Debts due or growing due to such Prisoner, or to be due to him or her before such Discharge as aforesaid ; which Conveyance and Assignment, so executed as aforesaid, in Form aforesaid, shall vest all the Real and Personal Estate and Effects of such Prisoner, and all such future Real and Personal Estate and Effects as aforesaid, of every Nature and Kind whatsoever, and all such Debts as aforesaid, in the said Provisional Assignee ; and the same shall be made subject to a Proviso, that in case the Petition of any such Prisoner shall be dismissed by the said Court, such Conveyance and Assignment shall, from and after such Dismission, be null and void to all Intents and Purposes ; and the said Court is hereby empowered to dismiss any such Petition in the Matter whereof a final Adjudication shall not have been made in pursuance of this Act, at any Time when it shall seem fit to the said Court to dismiss the same : Provided always, that where in any Case, by leave of the said Court, any Amendment shall be made in any such Petition, or an amended Petition shall be filed as of the Date of the original Petition, which the said Court is hereby empowered to do and authorize

authorize without dismissing such original Petition, the Assignment and Conveyance executed in such Case shall not thereby be affected, but shall stand good to all Intents and Purposes, notwithstanding such Amendment or amended Petition so filed as aforesaid.

XII. Provided always, and be it enacted, That this Act shall not extend to any Person who shall not be at the Time of filing his or her Petition, and during all the Proceedings thereon, in actual Custody within the Walls of the Prison, without any Intermission of such Imprisonment by Leave of any Court or otherwise: Provided always, that if after any such Prisoner shall have obtained an Order for hearing the Matters of his or her Petition, it shall appear to the Satisfaction of the said Court, by the Oath or Affidavit of a Physician, Surgeon or Apothecary, and such other Evidence as the said Court may require, that such Prisoner cannot continue to reside within the Walls of any such Prison without serious Injury to the Health of such Prisoner, or that, for the Sake of the Health of the Prisoners in general, it is necessary that the Number thereof within the Walls of any such Prison should be reduced, it shall be lawful for the said Court to dispense with such actual Custody of any such Prisoner within the Walls, as is hereinbefore mentioned: Provided nevertheless, that if any such Prisoner, having obtained such Dispensation, shall go beyond the Rules and Liberties in which he or she shall in pursuance thereof be confined, such Prisoner shall thereby be deprived of all Benefit of this Act.

Act only to extend to Prisoners within the Walls.

Exceptions.

XIII. And be it further enacted, That the filing of the Petition of every Person in actual Custody, who shall be subject to the Laws concerning Bankrupts, and who shall apply by Petition to the said Court for his or her Discharge from Custody, according to this Act, shall be accounted and adjudged an Act of Bankruptcy from the Time of filing such Petition; and that any Commission issuing against such Person and under which he or she shall be declared Bankrupt before the Time appointed by the said Court, and advertised in the *London Gazette*, for hearing the Matters of such Petition, or at any Time within Two Calendar Months from the Time of filing such Petition, shall have Effect to avoid any Conveyance and Assignment of the Estate and Effects of such Person, which shall have been made in pursuance of the Provisions of this Act: Provided always, that the filing of such Petition shall not be deemed an Act of Bankruptcy, unless such Person be so declared Bankrupt before the Time so advertised as aforesaid, or within such Two Calendar Months as aforesaid; but that every such Conveyance and Assignment shall be good and valid, notwithstanding any Commission of Bankrupt under which such Person shall be declared Bankrupt after the Time so advertised as aforesaid, and after the Expiration of such Two Calendar Months as aforesaid.

In what Case filing Petition an Act of Bankruptcy.

In what Case such filing only an Act of Bankruptcy.

XIV. Provided always, and be it enacted, That where the Conveyance and Assignment executed by any such Prisoner to the Provisional Assignee of the said Court, in pursuance of the Provisions of this Act, shall be or become void by reason of such Prisoner being declared Bankrupt within such Period as above mentioned, or being an uncertificated Bankrupt at the Time of

Assignment to be filed, although avoided by Commission;

and Court
proceed to ad-
judicate.

If Insolvent ob-
tains Certificate,
Rights of As-
signees after-]
wards to be as
in other Cases.

Proviso for
Title of As-
signees and
Operation of
Certificate.

Prisoner peti-
tioning not dis-
charged for
Want of Plain-
tiff proceeding
in Action.

Provisional As-
signee to take
Possession of
Estates, &c.
and sell if
Court directs;

paying Ex-
pences out of
Proceeds;

such Execution, the said Conveyance and Assignment shall nevertheless, together with the Petition of such Prisoner, remain of Record in the said Court; and the said Court shall and may require such Prisoner to file his or her Schedule, and shall and may cause all Things to be done in order to the Hearing of the Matters of such Petition, and of all Oppositions to be made to his or her Discharge, and such Hearing shall and may be proceeded in, and all things be done thereupon as in other Cases, according to this Act; and the said Court shall and may, at any Time when it shall seem fit, appoint other Assignee or Assignees in such Case in the same Manner as in other Cases; and that if at any Time after the Execution of the said Conveyance and Assignment of such Prisoner, he or she shall obtain his or her Certificate under any such Commission of Bankrupt, the Rights, Powers, Title and Interest of the Provisional Assignee, and other Assignee or Assignees, appointed under this Act, in, over and respecting any Property, Real or Personal, whatsoever, remaining to such Prisoner after the obtaining of such Certificate, or thereafter in any Way coming to him or her, and under or in pursuance of the Warrant of Attorney to be executed by such Prisoner under the Provisions of this Act, shall from and after the obtaining of such Certificate be the same as if the Conveyance and Assignment executed by such Prisoner under this Act had been valid at the Time of the Execution thereof: Provided always, that nothing herein contained shall be construed to affect the Title, Rights and Interests of the Assignees under any such Commission of Bankrupt, or to alter or diminish the Effect of any such Certificate as aforesaid, but that the Title, Rights and Interests of such last mentioned Assignees, and the Benefit of such Certificate to such Prisoner, shall be the same to all Intents and Purposes as if this Act had not been made.

XV. And be it further enacted, That no Prisoner who shall have so petitioned the said Court for Relief under this Act shall, after the filing of his or her Petition, be discharged out of Custody as to any Action, Suit or Process for or concerning any Debt, Sum of Money, Damages or Claim, with respect to which an Adjudication in the Matter of such Petition can, under the Provisions of this Act, be made by or by virtue of any Supersedeas, Judgment of Non Pros or Judgment as in the Case of a Nonsuit, for want of the Plaintiff or Plaintiffs in such Action, Suit or Process, proceeding therein.

XVI. And be it further enacted, That it shall and may be lawful for the Provisional Assignee of the said Court to take Possession himself, or by means of a Messenger of the said Court, or other Person or Persons appointed by him, of all the Real and Personal Estate and Effects of every such Prisoner as shall subscribe such Petition, and execute such Conveyance and Assignment as aforesaid; and if the said Court shall so order, to sell or otherwise dispose of such Goods, Chattels and Personal Estate, or any Part thereof, and of the Real Estate of such Prisoner, according to the Provisions hereinafter made with regard to the Sale of such Real Estate, and out of the Proceeds of such Real and Personal Estate to defray in the first Place all such Costs and Expences of taking Possession or of seizing and selling the same, as shall be allowed by the said Court, and to account for the Produce of such Sale or Disposition

Disposition to the said Court; and it shall be lawful for the said Provisional Assignee to sue in his own Name, if the said Court shall so order, for the recovering, obtaining and enforcing of any Estate, Debts, Effects or Rights of any such Prisoner; and all and every the Real and Personal Estate, Money and Effects vested in or possessed by such Provisional Assignee, by virtue of such Conveyances and Assignments so to be made by such Prisoners as aforesaid, shall not remain in him if he shall resign or be removed from his Office, nor in his Heirs, Executors or Administrators in case of his Death, but shall in every such Case go to and be vested in his Successor in Office, appointed by the said Court as aforesaid.

to sue in his own Name if Court directs.

XVII. And be it further enacted, That the said Court may order and direct such Provisional Assignee as aforesaid, or such Assignee or Assignees as are hereinafter mentioned, to pay to any such Prisoner, out of his or her Estate and Effects, such Allowance for his or her Support and Maintenance during such Prisoner's Imprisonment, and previous to the Adjudication in the Matter of his or her Petition, as to the said Court shall seem reasonable and fit.

Property to go to his Successor: Court may order an Allowance to Prisoner during his Confinement.

XVIII. Provided always, and be it enacted, That in case of the Dismission of the Petition of any such Prisoner seeking Relief under this Act, all the Acts done before such Dismission by the said Provisional Assignee, or other Assignee or Assignees, appointed as hereinafter provided, or other Person or Persons acting under his or their Authority, according to the Provisions of this Act, shall be good and valid; and that in such Case, or in case the Conveyance and Assignment made by such Prisoner as aforesaid shall be avoided by any Commission of Bankrupt thereafter issuing against such Prisoner, as hereinbefore provided, no Action or Suit shall be commenced against such Provisional Assignee, nor against any Assignee or Assignees appointed under this Act, nor against any Person duly acting under his or their Authority, except to recover any Property, Estate, Money or Effects of such Prisoner, detained after an Order made by the said Court for the Delivery thereof, and Demand made thereupon.

Where Petition is dismissed, Acts of Assignees valid.

No Action to be brought against them where Assignment avoided.

XIX. And be it further enacted, That it shall and may be lawful for the said Court at any Time after the filing of the Petition of any such Prisoner as aforesaid, as to the said Court shall seem expedient, to appoint a proper Person or Persons, being a Creditor or Creditors of such Prisoner, to be Assignee or Assignees of the Estate and Effects of such Prisoner, for the Purposes of this Act; and when such Assignee or Assignees shall have signified to the said Court his or their Acceptance of the said Appointment, the Estate, Effects, Rights and Powers of such Prisoner, vested in such Provisional Assignee as aforesaid, shall immediately be conveyed and assigned by such Provisional Assignee to the said Assignee or Assignees, in trust for the Benefit of such Assignee or Assignees and the Rest of the Creditors of such Prisoner, in respect of or in proportion to their respective Debts, according to the Provisions of this Act; and after such Conveyance and Assignment by such Provisional Assignee, all the Estate and Effects of such Prisoner shall be to all Intents and Purposes as effectually and legally vested by Relation in such Assignee or Assignees as if the said Conveyance and Assignment had been made

Court may appoint Assignees.

Their Acceptance to be signified to the Court.

Assignment to them, by Provisional Assignee, to vest Estate, &c.

What shall be
Evidence of
Assignment.

Sale of Estate
and Effects by
Assignee to be
made imme-
diately.

Creditors to
meet before
Sale of Real
Estate.

Meeting to be
advertised.

Assignees may
surrender or
convey Copy
hold or Custo-
mary Estate.

made by such Prisoner to him or them: Provided nevertheless, that no Act done under or by virtue of such first Conveyance and Assignment shall be thereby rendered void or defeated, but shall remain as valid as if no such Relation had taken place; and that every such Conveyance and Assignment as aforesaid to such Provisional Assignee, and a Counterpart of every such Conveyance and Assignment by such Provisional Assignee to such other Assignee or Assignees, shall be filed of Record in the said Court; and a Copy of any such Record, made upon Parchment, and purporting to have the Certificate of the Provisional Assignee of the said Court, or his Deputy appointed for that Purpose, endorsed thereon, and to be sealed with the Seal of the said Court, shall be recognized and received as sufficient Evidence of such Conveyance and Assignment, and of the Title of the Provisional and other Assignee or Assignees under the same, in all Courts, and before Commissioners of Bankrupt and Justices of the Peace, to all Intents and Purposes, without any Proof whatever given of the same, or of any other Proceeding in the said Court, in the Matter of such Prisoner's Petition.

XX. And be it further enacted, That the Assignee or Assignees of the Estate and Effects of any such Prisoner shall, with all convenient Speed, after his or their accepting such Conveyance and Assignment as aforesaid, use his or their best Endeavours to receive and get in the Estate and Effects of such Prisoner, and shall, with all convenient Speed, make Sale of all such Estate and Effects; and if such Prisoner shall be interested in or entitled to any Real Estate, either in Possession, Reversion or Expectancy, such Real Estate, within the Space of Six Months after the Conveyance and Assignment made to such Assignee or Assignees in that behalf, or within such other Time as the said Court shall direct, shall be sold by public Auction, in such Manner and at such Place or Places as shall Thirty Days before any such Sale be approved, in Writing under their Hands, by the major Part in Value of the Creditors of such Prisoner entitled to the Benefit thereof, who shall meet together on Notice of such Meeting published Fourteen Days previous thereto in the *London Gazette*, and also in some daily Newspaper printed and published in *London* or within the Bills of Mortality, if the Prisoner before his or her going to Prison resided in *London* or within the Bills of Mortality, and if such Prisoner resided elsewhere within the United Kingdom, then in some printed Newspaper which shall be generally circulated in or near the Place where such Prisoner resided at the Time aforesaid; and in case such Prisoner shall be entitled to any Copyhold or Customary Estate, the Conveyance and Assignment by such Provisional Assignee to such Assignee or Assignees as aforesaid shall be entered on the Court Rolls of the Manor of which such Copyhold or Customary Estate shall be holden; and thereupon it shall be lawful for such Assignee or Assignees to surrender or convey such Copyhold or Customary Estate to any Purchaser or Purchasers of the same, from such Assignee or Assignees as the said Court shall direct; and the Rents and Profits thereof shall be in the mean Time received by such Assignee or Assignees for the Benefit of the Creditors of such Prisoner, without Prejudice nevertheless

nevertheless to the Lord or Lords of the Manor of which any such Copyhold or Customary Estate shall be holden.

XXI. And Whereas Persons petitioning the said Court for Relief under this Act may be entitled to Annuities for their own Lives, or other uncertain Interests, or to reversionary or contingent Interests, or to Property under such Circumstances that the immediate Sale thereof for Payment of their Debts may be very prejudicial to them, and deprive them of the Means of Subsistence which they might otherwise have, after Payment of their Debts; and it may be proper in some Cases to authorize the raising of Money by way of Mortgage for Payment of the Debts, or Part of the Debts of such Person, instead of selling the Property of such Person for that Purpose; Be it enacted, That in all such Cases it shall be lawful for the said Court to take into Consideration all Circumstances affecting the Property of any such Person; and if it shall appear to the said Court that it would be reasonable to make any special Order touching the same, it shall be lawful for the said Court so to do, and to direct that such Property as it may be expedient not to sell, or not to sell immediately, according to the Provisions of this Act, shall not be so sold, and from time to time to order and direct in what Manner such Property shall be managed for the Benefit of the Creditors of such Person, until the same can be properly sold, or until Payment of all such Creditors, according to the Provisions of this Act, shall have been made, and to make such Orders touching the Sale or Disposition of such Property as to the said Court shall seem reasonable, considering the Rights of the Creditors of such Person to Payment of their Demands, and the future Benefit of such Person, after Payment of his or her Debts, and upon such Terms and Conditions, with respect to the Allowance of Interest on Debts not bearing Interest, or other Circumstances, as to the said Court shall seem just; and if it shall appear to the said Court that the Debts of such Person can be discharged by means of Money raised by way of Mortgage on any Property of such Person, instead of raising the same by Sale, it shall be lawful for the said Court so to order, and to give all necessary Directions for such Purpose, and generally to direct all Things which may be proper for the Discharge of the Debts of such Person, in such Manner as may be most consistent with the Interests of such Person, in any Surplus of his or her Effects, after Payment of such Debts.

Discretion in Court as to Disposal of Property in certain Cases.

Property may be mortgaged, if more beneficial.

XXII. And Whereas many Persons who may petition the said Court for Relief under this Act may be seized and possessed of Lands, Tenements and Hereditaments, to hold for the Term of their natural Lives, with Power of granting Leases and taking Fines, reserving small Rents on such Estate, for One, Two, or Three Lives in Possession or Reversion, or for some Number of Years determinable upon Lives, or have Powers over such Real or Personal Estate which such Persons could execute for their own Advantage, and which said Powers ought on such Persons petitioning the said Court for Relief under this Act to be executed for the Benefit of the Creditors of such Persons; Be it therefore enacted, That in every such Case all and every the Powers of leasing such Lands, Tenements and Hereditaments, and all other such Powers as aforesaid, over such Real or Personal Estates,

Assignees may execute Powers which Insolvent might have exe-

cutted for his
own Benefit.

Estates, which are or shall be vested in any Prisoner who shall petition the said Court for Relief under this Act, and all Trusts or Powers whatever vested in such Prisoner, or created for his or her Use or Benefit, which such Prisoner might legally execute for his or her own Benefit (except the Right of Nomination to any vacant Ecclesiastical Benefice), shall be and are hereby vested in the Assignee or Assignees of the Real and Personal Estate of such Prisoner, by virtue of this Act, so far as such Prisoner could by Law vest such Power in any Person to whom he or she might lawfully have conveyed such Property, to be by such Assignee or Assignees executed for the Benefit of all and every the Creditors of such Prisoner under this Act.

Where Lease
accepted by As-
signees, Insol-
vent not to re-
main liable for
subsequent
Rent.

XXIII. And be it further enacted, That in all Cases in which any such Prisoner so petitioning the said Court as aforesaid shall be entitled to any Lease or Agreement for a Lease, and his Assignee or Assignees shall accept the same, and the Benefit thereof, as Part of such Prisoner's Estate and Effects, the said Prisoners shall not be or be deemed to be liable to pay any subsequent Rent to which his or her Discharge, adjudicated according to this Act, may not apply, nor be in any Manner sued after such Acceptance in Respect or by Reason of any subsequent Nonobservance or Nonperformance of the Conditions, Covenants or Agreements therein contained: Provided, that in all such Cases as aforesaid it shall be lawful for the Lessor, or Person agreeing to make such Lease, his Heirs, Executors, Administrators or Assigns, if the said Assignee or Assignees shall decline, upon his or their being required so to do, to determine whether he or they will or will not accept such Lease or Agreement for a Lease, to apply to the said Court, praying that he or they may either so accept the same, or deliver up such Lease or Agreement for a Lease, and the Possession of the Premises demised or intended to be demised; and the said Court shall thereupon make such Order as in all the Circumstances of the Case shall seem meet and just, and such Order shall be binding on all Parties.

Assignees not
determining to
accept Lease,
Lessor may ap-
ply to Court.

Assignees may
sue in their
own Names;

XXIV. And be it further enacted, That it shall and may be lawful for the Assignee or Assignees of any such Prisoner, and such Assignee or Assignees is and are hereby empowered to sue from time to time, as there may be occasion, in his or their own Name or Names, for the Recovery, obtaining and enforcing of any Estate, Effects or Rights of such Prisoner, but in Trust for the Benefit of such Assignee or Assignees, and the Rest of the Creditors of such Prisoner, according to the Provisions of this Act; and to give such Discharge and Discharges to any Person or Persons who shall be respectively indebted to such Prisoner, as may be requisite; and to make Compositions with any Debtors or Accountants to such Prisoner, where the same shall appear necessary; and to take such reasonable Part of any such Debts as can upon such Composition be gotten in full Discharge of such Debts and Accounts; and to submit to Arbitration any Difference or Dispute between such Assignee or Assignees, and any Person or Persons, for or on account or by reason of any Matter, Cause or Thing relating to the Estate and Effects of such Prisoner: Provided nevertheless, that no such Composition, or Submission to Arbitration, shall be made, nor any Suit in Equity be commenced

may make
Composition for
Debts;

may submit
Differences to
Arbitration.

Proviso for
Consent of

menced by any such Assignee or Assignees, without the Consent in Writing of the major Part in Value of the Creditors of such Prisoner, who shall meet together pursuant to a Notice of such Meeting, to be published at least Fourteen Days before such Meeting in the *London Gazette*, and also in some Newspaper most usually circulated in the Neighbourhood of the Place where such Prisoner had his or her last usual Residence before his or her Imprisonment as aforesaid, nor without the Approbation of the said Court, or of One of the Commissioners thereof.

XXV. And be it further enacted, That in all Matters wherein Creditors shall vote, or wherein the Assent or Dissent of Creditors shall be exercised in pursuance of or in carrying into Effect this Act, every Creditor shall be accounted such in respect of such Amount only as upon an Account fairly stated between the Parties, after allowing the Value of mortgaged Property, and other such available Securities and Liens, shall appear to be the Balance due; and that all Disputes arising in such Matters concerning any such Amount shall upon Application duly made in that Behalf be examined into by the said Court, or any Commissioner thereof on his Circuit, who shall have Power to determine the same, and if it seem fit, to refer the Examination thereof to an Officer of the said Court, or to an Examiner duly appointed in pursuance of this Act: Provided always, that the Amount in respect of which any such Creditor shall vote in any such Matter shall not be conclusive of the Amount of his or her Debt for any ulterior Purposes, in pursuance of the Provisions of this Act.

XXVI. And be it further enacted, That whenever any such Assignee or Assignees shall die or be removed, or a new Assignee or Assignees shall be appointed, in pursuance of the Provisions of this Act, no Action at Law or Suit in Equity shall be thereby abated, but the Court in which any Action or Suit is depending may, upon the Suggestion of such Death or Removal, and new Appointment, allow the Name or Names of the surviving or new Assignee or Assignees to be substituted in the Place of the former; and such Action or Suit shall be prosecuted in the Name or Names of the said surviving or new Assignee or Assignees, in the same Manner as if he or they had originally commenced the same.

XXVII. And be it enacted, That if any Person so petitioning the said Court as aforesaid shall, at the Time of filing such Petition, or at any Time before he or she shall become entitled to his or her final Discharge, according to this Act, have any Government Stocks, Funds or Annuities, or any of the Stock of any public Company, either in *England, Scotland or Ireland*, standing in his own Name in his own Right, it shall be lawful for the said Court, whenever it shall deem fit so to do, to order all Persons whose Act or Consent is thereto necessary to transfer the same into the Name of such Assignee or Assignees as aforesaid; and all such Persons whose Act or Consent is so necessary as aforesaid are hereby indemnified for all Things done or permitted pursuant to such Order.

XXVIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend to entitle the Assignee or Assignees of the Estate and Effects of any such Prisoner, being a beneficed Clergyman or Curate, to the Income of such Benefice or

Creditors to Compositions and Arbitrations.

Creditors to vote according to Balance due to them, on Account fairly stated.

Amount voted for, not conclusive as to Amount of Debt.

Suits not abated by Death or Removal of Assignees.

Where Prisoner beneficially entitled to Stock, Court may order Transfer.

Indemnity.

Assignees' Power not to extend to Income of a Benefice or Curacy.

Sequestration
of Benefice
may be obtain-
ed.

or Curacy, for the Purposes of this Act : Provided always nevertheless, that it shall be lawful for such Assignee or Assignees to apply for and obtain a Sequestration of the Profit of any such Benefice, for the Payment of the Debts of such Prisoner ; and the Order of Adjudication made in the Matter of such Prisoner's Petition, in pursuance of this Act, shall be a sufficient Warrant for the granting of such Sequestration, without any Writ or other Proceedings to authorize the same ; and such Sequestration shall accordingly be issued, as the same might have been issued upon any Writ of *Levari facias*, founded upon any Judgment against such Prisoner.

Assignees'
Power not to
extend to Pay
or Pension of
Naval, Military
or Civil
Officers.

XXIX. Provided always, and be it further enacted, That nothing in this Act contained shall extend to entitle the Assignee or Assignees of the Estate and Effects of any such Prisoner, being or having been an Officer of the Army or Navy, or an Officer or Clerk, or otherwise employed or engaged in the Service of His Majesty, in the Customs or Excise, or any Civil Office, or other Department whatsoever, or being or having been in the Naval or Military Service of the *East India* Company, or an Officer or Clerk, or otherwise employed or engaged in the Service of the Court of Directors of the said Company, or being otherwise in the Enjoyment of any Pension whatever under any Department of His Majesty's Government, or from the said Court of Directors, to the Pay, Half Pay, Salary, Emoluments or Pension of any such Prisoner, for the Purposes of this Act : Provided always nevertheless, that it shall be lawful for the said Court to order such Portion of the Pay, Half Pay, Salary, Emoluments or Pension of any such Prisoner, as on Communication from the said Court to the Secretary at War or the Lords Commissioners of the Admiralty, or the Commissioners of the Customs or Excise, or the chief Officer of the Department to which such Prisoner may belong or have belonged, under which such Pay, Half Pay, Salary, Emoluments or Pension may be enjoyed by such Prisoner, or the said Court of Directors, he or they may respectively, under his or their Hands, or under the Hand of his or their Chief Secretary, or other Chief Officer for the Time being, consent to in Writing to be paid to such Assignee or Assignees, in order that the same may be applied in Payment of the Debts of such Prisoner ; and such Order and Consent being lodged in the Office of the Paymaster of His Majesty's Forces, or of the Treasurer of the Navy, or of the Secretary of the said Court of Directors, or of any other Officer or Person appointed to pay, or paying, any such Pay, Half Pay, Salary, Emoluments or Pension, such Portion of the said Pay, Half Pay, Salary, Emoluments or Pension, as shall be specified in such Order and Consent, shall be paid to the said Assignee or Assignees, until the said Court shall make Order to the contrary.

Portion of Pay
or Pension may
be obtained by
Assignees on
Application.

Goods in Pos-
session of Pri-
soner, whereof
he was reputed
Owner, deemed
his Property.

XXX. And be it enacted, That if any Person who shall petition the said Court for his or her Discharge from Imprisonment, under this Act, shall, at the Time of his or her Arrest, or other Commencement of such Imprisonment, by the Consent and Permission of the true Owner thereof, have in his or her Possession, Order or Disposition, any Goods or Chattels whereof such Prisoner was reputed Owner, or whereof he or she had taken upon him or her

the Sale, Alteration or Disposition, as Owner, the same shall be deemed to be the Property of such Prisoner so petitioning, so as to become vested in the Provisional Assignee of the said Court by the Conveyance and Assignment executed in pursuance of this Act: Provided that no Transfer or Assignment of any Ship or Vessel, or any Share thereof, made as a Security for any Debt or Debts, either by way of Mortgage or Assignment, duly registered according to the Provisions of an Act made in the Fourth Year of the Reign of His present Majesty, intituled *An Act for the registering of Vessels*, or according to the Provisions of an Act made in the Sixth Year of His said Majesty's Reign, intituled *An Act for the registering of British Vessels*, shall be invalidated or affected by reason of such Possession, Order or Disposition of the same as aforesaid.

Proviso for Assignment of Vessels under 4 G. 4. c. 41. or 6 G. 4. c. 110.

XXXI. And be it enacted, That no Distress or Distresses for Rent made and levied after the Arrest or other Commencement of the Imprisonment of any Person who shall petition the said Court for his or her Discharge from such Imprisonment, according to this Act, upon the Goods or Effects of any such Person, shall be available for more than One Year's Rent accrued prior to the Execution of the Conveyance and Assignment by such Person, in pursuance of this Act, but that the Landlord or Party to whom the Rent shall be due shall and may be a Creditor for the Overplus of the Rent due, and for which the Distress shall not be available, and entitled to all the Provisions made for Creditors by this Act.

How far only Distress available for Rent.

XXXII. And be it further enacted, That if any Prisoner who shall file his or her Petition for his or her Discharge under this Act, shall, before or after his or her Imprisonment, being in insolvent Circumstances, voluntarily convey, assign, transfer, charge, deliver or make over any Estate Real or Personal, Security for Money, Bond, Bill, Note, Money, Property, Goods or Effects whatsoever, to any Creditor or Creditors, or to any Person or Persons in Trust for, or to or for the Use, Benefit or Advantage of any Creditor or Creditors, every such Conveyance, Assignment, Transfer, Charge, Delivery and making over, shall be deemed and is hereby declared to be fraudulent and void as against the Provisional or other Assignee or Assignees of such Prisoner appointed under this Act: Provided always, that no such Conveyance, Assignment, Transfer, Charge, Delivery or making over, shall be so deemed fraudulent and void, unless made within Three Months before the Commencement of such Imprisonment, or with the View or Intention by the Party so conveying, assigning, transferring, charging, delivering, or making over, of petitioning the said Court for his or her Discharge from Custody under this Act.

Voluntary Preference fraudulent and void, as against Assignees.

What deemed fraudulent Conveyance, &c.

XXXIII. And Whereas an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act for preventing Frauds upon Creditors by secret Warrants of Attorney to confess Judgment*: And Whereas it is expedient to extend the Provisions of such Act; Be it therefore enacted, That the last mentioned Act shall extend to the Provisional or other Assignee or Assignees of every Prisoner who shall after the Expiration of Twenty one Days next after his or her Execution of such Warrant of Attorney, or giving of such Cognovit Actionem as therein

3 G. 4. c. 39. extended to Assignees of Insolvents.

therein mentioned, apply by Petition to the said Court for his or her Discharge from Confinement, according to the Provisions of this Act, as if the last mentioned Act had been expressly herein enacted; and every such Warrant of Attorney, and Judgment and Execution thereon, and every such Cognovit Actionem, and Judgment entered up thereon, and Execution taken out on such Judgment, as are declared by the last mentioned Act to be fraudulent and void against the Assignees mentioned therein, shall be deemed equally fraudulent and void against the Provisional or other Assignee or Assignees of such Prisoner, appointed under this Act, and such Provisional or other Assignee or Assignees shall be entitled to recover back and receive, for the Use of the Creditors of such Prisoner, all and every the Monies levied and Effects seized under or by virtue of any such Judgment or Execution.

Warrant of Attorney and Cognovit Actionem not to be acted upon against Goods of Insolvent after his Imprisonment.

XXXIV. And be it further enacted, That in all Cases where any Prisoner who shall petition the said Court for Relief under this Act shall have executed any Warrant of Attorney to confess Judgment, or shall have given any Cognovit Actionem, whether for a valuable Consideration or otherwise, no Person shall, after the Commencement of the Imprisonment of such Prisoner, avail himself or herself of any Execution issued or to be issued upon any Judgment obtained or to be obtained upon such Warrant of Attorney or Cognovit Actionem, either by Seizure and Sale of the Property of such Prisoner, or any Part thereof, or by Sale of such Property theretofore seized, or any Part thereof, but that any Person or Persons to whom any Sum or Sums of Money shall be due in respect of any such Warrant of Attorney or Cognovit Actionem, shall and may be a Creditor or Creditors for the same under this Act.

Assignees to file Account at the End of Three Months.

XXXV. And be it further enacted, That the Assignee or Assignees of any such Prisoner, at the End of Three Months at the farthest from the Time of his or their accepting any such Conveyance and Assignment as aforesaid, and so from time to time as occasion shall require or the said Court shall direct, shall make up an Account of such Prisoner's Estate, and make Oath in Writing before any Person before whom Affidavits are by this Act directed to be sworn, that such Account contains a fair and just Account of the Estate and Effects of such Prisoner, got in by or for such Assignee or Assignees, and of all Payments made in respect thereof, and that all Payments in every such Account charged were truly and *bona fide* made and paid, which Account, so sworn, shall be filed by the proper Officer of the said Court; and if it shall appear that such Assignee or Assignees have in his or their Hands any Balance wherewith a Dividend may be made amongst the Creditors of such Prisoner, such Assignee or Assignees shall forthwith declare the Amount of such Balance, and proceed to make a Dividend with the same, and Notice of the Time and Place of making such Dividend, in such Form as the said Court shall direct, shall be published in like Manner as Notice of a Meeting of Creditors to approve the Sale of Real Property is hereinbefore directed to be published, Thirty Days at least before such Dividend shall be made; and such further Notice thereof shall be given as the said Court may in any Case or at any Time direct; and in case such Dividend shall be made before Adjudication shall

Notice of Dividend.

shall have been made in the Matter of such Prisoner's Petition, as hereinafter provided, the same shall be made amongst the Creditors of such Prisoner who shall prove their Debts to the Satisfaction of such Assignee or Assignees by Affidavit sworn as by this Act directed; and in case such Dividend shall be made after such Adjudication, the same shall be made amongst the Creditors of such Prisoner whose Debts shall be admitted in his or her Schedule so sworn to as hereinafter directed, in proportion to the Amount of the Debts so proved and so admitted respectively, as the Case may be: Provided always, that if any such Prisoner, Creditor or Assignee shall object in whole or in part to any Debt tendered to be so proved as aforesaid, or to any Debt mentioned in the Schedule of such Prisoner, or if any Person whose Demand is stated in such Schedule, but is not admitted therein to the Extent of such Demand, shall claim to be admitted as a Creditor for the whole of such Demand, or for more thereof than is so admitted, the said Objections and Claims shall, upon Application duly made, be examined into by the said Court or a Commissioner thereof, on his Circuit; and the said Court or Commissioner may, if it shall seem fit, refer the Examination of the same to an Officer of the said Court, or to an Examiner duly appointed in pursuance of this Act: and the said Court or Commissioner, and such Officer or Examiner to whom such Reference shall have been made, shall have full Power, for the Purpose aforesaid, to require and compel the Production of all Books, Papers and Writings which may be necessary to be produced, as well by the Person claiming such Debt as by such Prisoner, or his or her Assignee or Assignees, Creditor or Creditors, and to examine all such Persons and their Witnesses upon Oath, as the Nature of the Case may require, and to take all other Measures necessary for the due Investigation of such Objections and Claims; and the Decision of the said Court or Commissioner thereupon shall be conclusive with respect to the Title of any such Creditor or Creditors to his, her or their Share of such Dividend under the Provisions of this Act: Provided always, that in no Case shall any such Dividend be made before such Adjudication shall have been made as aforesaid, unless the said Court shall so direct.

XXXVI. And be it further enacted, That in case such Prisoner, or any of his or her Creditors, or the said Court, shall at any Time be dissatisfied with the Account of any such Assignee or Assignees, so rendered upon Oath as aforesaid, or it shall appear to the said Court that the Matters of such Account require Examination, or in case any such Assignee or Assignees shall neglect to render such Account, or shall neglect to dispose of the Property, or collect the Effects of such Prisoner, or shall in any Manner waste or mismanage the Estate or Effects of such Prisoner, or neglect to make a due Distribution thereof, it shall be lawful for the said Court to require such Assignee or Assignees to render such Account on Oath, as is directed by this Act, if not before rendered, and for the said Court, or any Commissioner thereof on his Circuit, to examine any Account so rendered, and to inquire into any Waste, Mismanagement or Neglect of the Estate and Effects of such Prisoner, and if it shall seem fit, to order that it shall be referred to an Officer of the said Court, or

How Dividend to be made.

Court may examine into disputed Claims.

May compel Production of Books, &c. and examine Witnesses.

Decision of Court conclusive.

Proviso.

If Prisoner or Creditor or Court dissatisfied with Assignees' Account, Court may direct Inquiry.

If no Account rendered, Court may compel.

Power to sum-
mon Parties
and Witnesses.

Court may
charge As-
signee with In-
terest on Money
wilfully re-
tained.

Decision of
Court or Com-
missioner final.

Court to take
Measures for
compelling due
Distribution by
Assignees.

Dividends un-
claimed for 12
Months to be
paid into Court.

In default of
which Payment,
Goods may be
distrained ;
and if no Dis-

to an Examiner, duly appointed in pursuance of this Act, to investigate the Accounts of such Assignee or Assignees so rendered as aforesaid, and to examine into the Truth thereof, and to report thereon to the said Court or Commissioner ; and it shall and may be lawful for the said Court or Commissioner, or such Officer or Examiner, upon such Reference as aforesaid, to require and compel the Production of all Books, Papers and Writings necessary for such Purposes, and to summon all Parties before him or them, and to examine all Parties and their Witnesses on Oath, as the Case may require ; and the said Court or Commissioner shall and may take all such Measures as shall be necessary for the compelling of the rendering of such Account, and for the due Investigation thereof, and shall have Power to disallow any Charge or Charges in such Account, which it shall appear to the said Court or Commissioner ought not in fairness to be allowed, and to award Costs against any of the Parties, as Justice shall require ; and that if it shall appear to the said Court or Commissioner upon such Inquiry, that any such Assignee or Assignees shall have wilfully retained in his or their Hands, or otherwise employed for his or their own Benefit, any Sum or Sums of Money, Part of or being the Produce of such Estate or Effects, the said Court or Commissioner shall have Power and Authority to order such Assignee or Assignees to be charged in his or their Accounts with the Estate of such Prisoner, with such Sum or Sums of Money as shall be equal to the Amount of Interest, computed at a Rate not exceeding Twenty Pounds *per Centum per Annum*, on all Sums of Money appearing to the said Court or Commissioner to be so retained or employed by him or them, for the time or times during which he or they shall have so retained or employed the same ; and the said Court shall, in pursuance of such Order, charge such Assignee or Assignees in their Accounts with such Sum or Sums of Money accordingly ; and the Decisions of the said Court or Commissioner upon all such Matters shall be final and conclusive.

XXXVII. And be it further enacted, That it shall be lawful for the said Court or a Commissioner thereof on his Circuit, upon such Inquiry so made as aforesaid, to ascertain the Produce of the Estate and Effects of any such Insolvent, to be divided among his or her Creditors, and to direct the Distribution thereof, and to take all such Measures and make such Orders as shall be necessary for the compelling of the proper Disposition and Distribution thereof, according to this Act ; and that if it shall at any Time appear to the said Court or Commissioner that any Dividend or Dividends shall have remained in the Hands of any such Assignee or Assignees for the Space of Twelve Calendar Months next following the declaring thereof by such Assignee or Assignees, or for the Space of Twelve Calendar Months next following any Order of the said Court, made for the declaring or making thereof, it shall and may be lawful to and for the said Court or Commissioner to order and direct that such unclaimed Dividend or Dividends shall be immediately paid into the said Court, to the Credit of the Estate of such Insolvent ; and in default of the Payment of the same by the Time which shall be limited by the said Court or Commissioner for that Purpose, it shall and may be lawful to and for the said Court or Commissioner to make such summary Remedy

Remedy for that Purpose, by a Distress and Sale of the Goods and Chattels of such Assignee or Assignees, as to the said Court or Commissioner shall seem proper; and if no sufficient Distress can be found, then and in such Case the said Court or Commissioner shall be at liberty to commit the Offender to the Prison of the King's Bench, or to the Common Gaol of any County in which such Offender shall be, or shall usually reside, without Bail or Mainprize, there to remain until the said Court or Commissioner shall make Order to the contrary.

Distress, Imprisonment.

XXXVIII. And be it further enacted, That in case any Assignee of the Estate and Effects of any Prisoner so appointed as aforesaid shall be unwilling to act, or in case of the Death, Incapacity, Disability, Misconduct or Absence from the Realm of any such Assignee, it shall be lawful to and for any Creditor or Creditors of such Prisoner to apply to the said Court to appoint a new Assignee or Assignees, with like Powers and Authorities as are given by this Act to the Assignee or Assignees hereinbefore mentioned, and that the said Court shall have Power to remove such Assignees, and to appoint such new Assignee or Assignees, and to compel any Assignee who shall be removed, and the Heirs, Executors or Administrators of any deceased Assignee, to account for and deliver up to the said Court, or as the said Court shall order, all such Estate and Effects, Books, Papers, Writings, Deeds and other Evidences relating thereto as shall remain in his or their Hands, to be applied for the Purposes of this Act, and the Decision of the said Court in the Matters aforesaid shall be final and conclusive; and from and immediately after such Appointment of a new Assignee or Assignees, and by virtue of the Order of the said Court in that Behalf, all the Estate, Effects, Rights and Powers of such Prisoner, vested in any such former Assignee or Assignees, shall become and the same are hereby vested in such new Assignee or Assignees, without any new Assignment or Conveyance executed in that Behalf; and every such Removal and Appointment shall be entered of Record in the said Court, and such Notice thereof shall be published as the said Court shall at any Time direct, and Proof of such Removal and Appointment so entered of Record as aforesaid shall be received by such certified Copy thereof, as is hereinbefore directed to be received as Proof of Assignments made in pursuance of this Act.

Court may remove Assignees and appoint new Assignees.

And compel removed Assignees to account.

What shall be Evidence of Removal and Appointment.

XXXIX. And be it further enacted, That in case any such Assignee so removed as aforesaid, or the Heirs, Executors or Administrators of any deceased Assignee, or any of them, shall not account for and deliver up such Estate and Effects, Books, Papers, Writings, Deeds and other Evidences as aforesaid, or shall not pay over the Balance of the Produce of any such Estate or Effects found to be in his or their Hands, in obedience to the Order of the said Court made thereupon, and notified to him or them respectively, it shall and may be lawful for the said Court to order the Person or Persons so offending to be arrested and committed to the Prison of the King's Bench, or to the Common Gaol of any County where he or they shall be, or where he or they shall usually reside, there to remain without Bail or Mainprize, until such Person or Persons shall have fulfilled the Duty required by this Act, or until the said Court shall make Order to the contrary.

If Assignee or Executor, &c. so removed shall not deliver over Property, Court may commit him.

XL. And

After Petition
filed, Prisoner
to deliver in a
Schedule of
Debts, Pro-
perty, &c..

Contents of
such Schedule.

Balance Sheet.

Schedule to be
filed with Books
and Papers.

XL. And it is hereby further enacted, That every such Prisoner who shall apply for Relief under this Act shall, within the Space of Fourteen Days next after his or her Petition shall have been filed as aforesaid, or within such further Time as the said Court shall think reasonable, deliver into the said Court a Schedule, containing a full and fair Description of such Prisoner, as to his or her Name or Names, Trade or Trades, Profession or Professions, together with the last usual Place of Abode of such Prisoner, and the Place or Places where he or she has resided during the Time when his or her Debts were contracted; and also a full and true Description of all Debts due or growing due from such Prisoner at the Time of filing such Petition, and of all and every Person and Persons to whom such Prisoner shall be indebted, or who to his or her Knowledge or Belief shall claim to be his or her Creditors, together with the Nature and Amount of such Debts and Claims respectively, distinguishing such as shall be admitted from such as shall be disputed by such Prisoner; and also a full, true and perfect Account of all the Estate and Effects of such Prisoner, Real and Personal, in Possession, Reversion, Remainder or Expectancy; and also of all Places of Benefit or Advantage held by such Prisoner, whether the Emoluments of the same arise from fixed Salaries, or from Fees or otherwise; and also of all Pensions or Allowances of the said Prisoner, in Possession or Reversion, or held by any other Person or Persons for or on behalf of the said Prisoner, or of and from which the said Prisoner derives or may derive any Manner of Benefit or Advantage; and also of all Rights and Powers of any Nature and Kind whatsoever, which such Prisoner, or any other Person or Persons in Trust for such Prisoner, or for his or her Use, Benefit or Advantage, in any Manner whatsoever, shall be seised or possessed of, or interested in, or entitled unto, or which such Prisoner, or any other Person or Persons in Trust for him or her, or for his or her Benefit, shall have any Power to dispose of, charge or exercise for the Benefit or Advantage of such Prisoner; together with a full, true and perfect Account of all the Debts due or growing due at the Time of filing such Petition, to such Prisoner, or to any Person or Persons in Trust for him or her, or for his or her Benefit or Advantage, either solely or jointly with any other Person or Persons, and the Names and Places of Abode of the several Persons from whom such Debts shall be due or growing due, and of the Witnesses who can prove such Debts, so far as such Prisoner can set forth the same; and the said Schedule shall also contain a Balance Sheet of so much of the Receipts and Expenditures of such Prisoner, and of the Items composing the same, as shall be at any Time required by the said Court in that Behalf; and shall also fully and truly describe the Wearing Apparel, Bedding and other Necessaries of such Prisoner, and his or her Family, and the Working Tools and Implements of such Prisoner, not exceeding in the whole the Value of Twenty Pounds, which may be excepted by such Prisoner from the Operation of this Act, together with the Values of such excepted Articles respectively; and the said Schedule shall be subscribed by such Prisoner, and shall forthwith be filed in the said Court, together with all Books, Papers, Deeds and Writings in any Way relating to

to such Prisoner's Estate or Effects, in his or her Possession, or under his or her Custody or Controul.

XLI. And be it further enacted, That the said Court shall forthwith, after such Petition and Schedule shall have been filed as aforesaid, in the said Court, by any such Prisoner, appoint a Time and Place for the Hearing of the Matters of such Petition and Schedule, and the Time so appointed shall in no case be more than Four Calendar Months after the Date of such Appointment; and where such Prisoner shall be in any Gaol within the Counties of *Middlesex* or *Surrey*, or the City of *London* or Borough of *Southwark*, the said Court shall order such Prisoner to be brought before the said Court, and the Matters of such Petition shall be heard by the said Court in pursuance of such Order; and where any such Prisoner shall be in any Gaol in *England* except in *Middlesex*, *Surrey*, *London* or *Southwark* aforesaid, and except in the Principality of *Wales* and Town of *Berwick upon Tweed*, the said Court shall order such Prisoner to be brought before One of the Commissioners of the said Court, proceeding on his Circuit at such Assize or other Town or Place within the County or County of a City or Town wherein such Gaol shall be situate, as may be directed by the Order of the said Court in that Behalf, and the Matters of the Petition of such Prisoner shall be heard by such Commissioner, in pursuance of such Order; and where any such Prisoner shall be in any Gaol within the Principality of *Wales* or Town of *Berwick upon Tweed*, the said Court shall order such Prisoner to be brought before the Justices of the Peace for the County, City, Town, Liberty or Place wherein such Gaol shall be situate, in open Court, at their General or General Quarter Sessions of the Peace, or at some Adjournment thereof, and the Matters of the Petition of such Prisoner shall be heard by such Justices in pursuance of such Order.

Court to appoint Time and Place for hearing Petition and Schedule.

Hearing by Court.

Manner of Proceeding by Commissioners on Circuit;

by Justices in Wales at Sessions.

XLII. And be it further enacted, That the said Court shall cause Notice of the filing of every such Petition and Schedule, and of the Time and Place so appointed as aforesaid, for hearing the Matters of such Petition and Schedule, to be given by such Means as the said Court shall direct to the Creditor or Creditors at whose Suit any such Prisoner shall be detained in Custody, or the Attorney or Agent of such Creditor or Creditors, and to the other Creditors named in the Schedule of such Prisoner, and resident within the United Kingdom, and whose Debts shall amount to the Sum of Five Pounds, and to be inserted in the *London Gazette*, and also, if the said Court shall think fit, in the *Edinburgh* and *Dublin Gazettes*, or either of them, and also in such other Newspaper or Newspapers as the said Court shall direct.

Notice of Hearing to Creditors, and advertised.

XLIII. And be it further enacted, That at such Hearing as aforesaid the said Court or Commissioner or Justices shall examine into the Matters of the Petition and Schedule of every such Prisoner so brought before the said Court, Commissioner or Justices, upon the Oath of such Prisoner, and of such Parties and other Witnesses as the said Court or Commissioner or Justices shall think fit to examine thereupon; and in case such Notice as the said Court shall direct shall have been given by any Creditor, of his or her Intention to oppose such Prisoner's Discharge, it shall and may be lawful, both for the said Creditor and any other of the Creditors

At Time of Hearing, Matters of Petition and Schedule examined.

Creditors may oppose Prisoner's Discharge.

Hearing may be adjourned under Circumstances herein mentioned.

Proviso for bringing up Prisoner on Hearing.

Notice.

Affidavits may be received in opposition to Prisoner's Discharge in certain Cases.

Interrogatories may be filed.

Affidavit of Persons not resident in County, &c.

Creditors of such Prisoner, to oppose such Prisoner's Discharge, and for that Purpose to put such Questions to such Prisoner, and examine such Witnesses, as the said Court or Commissioner or Justices shall think fit, touching the Matters contained in such Petition and Schedule, and touching such other Matters as the said Court or Commissioner or Justices shall be of opinion that it may be fit and proper to inquire into, in order to the due Execution of this Act; but no Creditor shall examine or oppose the Discharge of such Prisoner until he or she shall make Oath or Affidavit of his or her Debt, or otherwise give satisfactory Proof of his or her Right to oppose such Prisoner's Discharge, if required so to do by such Prisoner; and that in case the said Court or Commissioner or Justices shall entertain any Doubt touching any Matter alleged against such Prisoner at such Hearing, to prevent his or her Discharge, or otherwise touching the Schedule or the Examination of such Prisoner, or it shall appear that Amendment is necessary to be made of such Schedule, or in case such Prisoner shall refuse to be sworn, or shall not answer upon Oath to the Satisfaction of the said Court or Commissioner or Justices, it shall be lawful for the said Court or Commissioner or Justices to adjourn the Hearing and Examination of such Prisoner, and of the Matters of his or her Petition and Schedule, and of Witnesses thereupon, to some future Sitting of the said Court or Commissioner or Justices, or to some future Circuit to be made by One of the said Commissioners, or to some future General or General Quarter or Adjourned Sessions, as the Case may be; and in every such Case such Prisoner shall upon such Adjournment remain in Custody, and shall and may be again brought up, and such Hearing and Examination be further proceeded in, as often as to the said Court or Commissioner or Justices shall seem fit: Provided always, that when any such Hearing shall be adjourned by the said Court generally, or by such Commissioner or Justices, to some future Circuit, or to some future Sessions as aforesaid, the said Court shall and may, upon the Application of such Prisoner, to be made within such Time as the said Court shall direct, order the said Prisoner to be brought up for Hearing accordingly, and such Notice thereof shall be given, and to such Parties, as the said Court or Commissioner or Justices shall direct.

XLIV. Provided always, and be it further enacted, That where the Matters of the Petition of any Prisoner, whose usual Place of Abode at or lately before his or her Imprisonment was otherwise than in *Middlesex, Surrey, London* or *Southwark* aforesaid, shall be heard before the said Court, it shall and may be lawful for the said Court to receive the Affidavits of any Creditor or Creditors, or other Person or Persons, not resident within *Middlesex, Surrey, London* or *Southwark* aforesaid, in opposition to the Discharge of such Prisoner under this Act; and also, if such Court shall think fit, to permit Interrogatories to be filed for the Examination or Cross Examination of any Person making or joining in such Affidavits, and to adjourn the Hearing and Examination of such Prisoner until such Interrogatories shall be fully answered to the Satisfaction of the said Court; and where the Hearing of the Matters of the Petition of any Prisoner shall be before any Commissioner of the said Court on his Circuit, or before any such Justices

tices as aforesaid, at their Sessions aforesaid, and the usual Place of Abode of such Prisoner at or lately before his or her Imprisonment shall have been other than in the County or Riding where such Hearing shall be, it shall and may be lawful for such Commissioner or Justices to receive the Affidavits of any Creditor or Creditors, or other Person or Persons, not resident within the County or Riding where such Hearing shall be, in opposition to the Discharge of such Prisoner under this Act, and also, if such Commissioner or Justices shall think fit, to permit Interrogatories to be filed for the Examination or Cross Examination of any Person making or joining in such Affidavits, and to adjourn the Hearing and Examination of such Prisoner until such Interrogatories shall be fully answered to the Satisfaction of the said Commissioner or Justices.

XLV. Provided always, and it is hereby enacted, That at such Hearing or adjourned Hearing of the Matters of any Prisoner's Petition it shall and may be lawful for the said Court or Commissioner or Justices, if it shall appear fit, upon Application made by some Creditor or Creditors, and supported by Oath or Affidavit, to order that it shall be referred to an Officer of the said Court, or to an Examiner duly appointed according to the Provisions of this Act, to investigate the Accounts of such Prisoner, and to examine into the Truth of his or her Schedule, and to report thereon to the said Court or Commissioner or Justices; and that the said Court or Commissioner or Justices may at such Hearing proceed on the other Matters in opposition to the Discharge of such Prisoner, or may, if it shall appear just and reasonable so to do, forthwith adjourn the Hearing thereof until such Officer or Examiner shall have made his Report; and that upon such Reference being made as aforesaid, in the Matter of any such Prisoner's Petition, it shall be lawful for such Officer or Examiner to order the Attendance of such Prisoner as often as such Officer or Examiner shall think fit, and the Prisoner mentioned in such Order shall be accordingly carried before such Officer or Examiner, for which such Order shall be a sufficient Warrant; and the Keeper of the Prison, or his Deputy, so carrying any Prisoner before such Officer or Examiner, shall receive for the same the Sum of Ten Shillings and no more, to be paid by the Person or Persons at whose Requisition the said Reference shall have been had; and such Officer or Examiner shall and may, under such Reference, administer Oaths, and examine all Witnesses and Parties upon their Oaths touching all Matters relating thereto: Provided always, that no Keeper of any Prison shall be required or compelled to carry any Prisoner a greater Distance than Two Miles from his Prison, to or before such Officer or Examiner, except that the Keepers of Prisons in *Middlesex* and *London* and of the Prisons of the *King's Bench* and *Marshalsea*, and in *Horsemonger Lane*, and of and in the Borough of *Southwark*, shall carry their Prisoners before such Officer at the Office of the said Court, or at such other Place within the Bills of Mortality as the said Court shall direct; and that in all Cases where such Reference shall have been made as aforesaid, it shall be lawful for the said Court or Commissioner or Justices, if just Cause shall appear, to order all the Fees and Expences of such Reference, paid by any Creditor or Creditors, to be repaid to him,

where Hearing is, may be received.

Schedule and Prisoner's Accounts may be referred to an Officer of Court, or an Examiner, who may order Prisoner to attend.

Gaoler's Fee for carrying him.

Officer and Examiner may administer Oaths.

Court may order Fees, &c. of Reference to be paid out of Insolvent's Estate.

her or them, out of the first Money received by the Provisional or other Assignee or Assignees of such Prisoner, from or by his or her Estate or Effects.

Court, &c. may
adjudge Pri-
soner to be dis-
charged from
Custody, and
entitled to Be-
nefit of Act.

XLVI. And be it further enacted, That after such Examination made into the Matters of the Petition and Schedule of any such Prisoner as hereinbefore directed, it shall and may be lawful at such Hearing, or adjourned Hearing as aforesaid, for the said Court or Commissioner or Justices, upon such Prisoner's swearing to the Truth of his or her Petition and Schedule, and executing such Warrant of Attorney as is hereinafter directed, to adjudge that such Prisoner shall be discharged from Custody, and entitled to the Benefit of this Act, at such Time as the said Court or Commissioner or Justices shall direct, in pursuance of the Provisions hereinafter contained in that Behalf, as to the several Debts and Sums of Money due or claimed to be due at the Time of filing such Prisoner's Petition from such Prisoner to the several Persons named in his or her Schedule as Creditors, or claiming to be Creditors for the same respectively, or for which such Persons shall have given Credit to such Prisoner before the Time of filing such Petition, and which were not then payable, and as to the Claims of all other Persons, not known to such Prisoner at the Time of such Adjudication, who may be Indorsees or Holders of any negotiable Security set forth in such Schedule so sworn to as aforesaid.

Court may ad-
judge Dis-
charge, &c. to
be forthwith,
or otherwise,
from the filing
of Petition.

XLVII. And be it further enacted, That in all Cases where no Cause shall appear to the contrary, it shall and may be lawful for the said Court or Commissioner or Justices, according as shall seem fit, to adjudge that such Prisoner shall be so discharged, and so entitled as aforesaid, forthwith, or so soon as such Prisoner shall have been in Custody at the Suit of One or more of the Persons as to whose Debts and Claims such Discharge is so adjudicated, for such Period or Periods, not exceeding Six Months in the whole, as the said Court or Commissioner or Justices shall direct, to be computed from the filing of such Prisoner's Petition.

In certain
Cases Dis-
charge, &c. to
be at any Pe-
riod not later
than Three
Years from pe-
titioning.

XLVIII. And be it further enacted, That in case it shall appear to the said Court or Commissioner or Justices that such Prisoner has fraudulently, with intent to conceal the State of his or her Affairs, or to defeat the Objects of this Act, destroyed, or otherwise wilfully prevented or purposely withheld the Production of any Books, Papers or Writings relating to such of his Affairs as are subject to Investigation under this Act, or kept or caused to be kept false Books, or made false Entries in, or withheld Entries from, or wilfully altered or falsified, any such Books, Papers or Writings, or that such Prisoner has fraudulently, with intent of diminishing the Sum to be divided among his or her Creditors, or of giving an undue Preference to any of the said Creditors, discharged or concealed any Debt due to or from the said Prisoner, or made away with, charged, mortgaged or concealed any Part of his or her Property, of what Kind soever, either before or after the Commencement of his or her Imprisonment, then it shall and may be lawful for the said Court or Commissioner or Justices to adjudge that such Prisoner shall be so discharged and so entitled as aforesaid, so soon as he or she shall have been in Custody at the Suit of some One or more of the Persons, as to whose Debts

Debts and Claims such Discharge is so adjudicated, for such Period or Periods, not exceeding Three Years in the whole, as the said Court or Commissioner or Justices shall direct, to be computed as aforesaid.

XLIX. And be it further enacted, That in case it shall appear to the said Court or Commissioner or Justices that such Prisoner shall have contracted any of his or her Debts fraudulently, or by means of a Breach of Trust, or by means of false Pretences, or without having had any reasonable or probable Expectation at the Time when contracted of paying the same, or shall have fraudulently, or by means of false Pretences, obtained the Forbearance of any of his or her Debts by any of his or her Creditors, or shall have put any of his or her Creditors to any unnecessary Expence, by any vexatious or frivolous Defence or Delay to any Suit for recovering any Debt or Sum of Money due from such Prisoner, or shall be indebted for Damages recovered in any Action for Criminal Conversation with the Wife, or for seducing the Daughter or Servant of the Plaintiff in such Action, or for Breach of Promise of Marriage made to the Plaintiff in such Action, or for Damages recovered in any Action for a malicious Prosecution, or for a Libel, or for Slander, or in any other Action for a malicious Injury done to the Plaintiff therein, or in any Action of Tort or Trespass to the Person or Property of the Plaintiff therein, where it shall appear to the Satisfaction of the said Court that the Injury complained of was malicious, then it shall and may be lawful for such Court or Commissioner or Justices to adjudge that such Prisoner shall be so discharged, and so entitled as aforesaid, forthwith, excepting as to such Debt or Debts, Sum or Sums of Money or Damages as above mentioned; and as to such Debt or Debts, Sum or Sums of Money or Damages, to adjudge that such Prisoner shall be so discharged, and so entitled as aforesaid, so soon as he or she shall have been in Custody at the Suit of the Person or Persons who shall be Creditor or Creditors for the same respectively, for a Period or Periods not exceeding Two Years in the whole, as the said Court or Commissioner or Justices shall direct, to be computed as aforesaid.

L. And be it enacted, That the Discharge of any Prisoner so adjudicated as aforesaid shall and may extend to all Process issuing from any Court, for any Contempt of any Court, Ecclesiastical or Civil, for Nonpayment of Money or of Costs or Expences in any Court, Ecclesiastical or Civil; and that in such Case the said Discharge shall be deemed to extend also to all Costs which such Prisoner would be liable to pay in consequence or by reason of such Contempt, or on purging the same; and that every Discharge so adjudicated as aforesaid, as to any Debt or Damages of any Creditor of such Prisoner, shall be deemed to extend also to all Costs incurred by such Creditor before the filing of such Prisoner's Schedule, in any Action or Suit brought by such Creditor against such Prisoner for the Recovery of the same; and that all Persons as to whose Demands for any such Costs, Money or Expences as aforesaid, any such Person shall be so adjudged to be discharged, shall be deemed and taken to be Creditors of such Prisoner in respect thereof, and entitled to the Benefit of all the Provisions made for Creditors by this Act, subject nevertheless to

In other Cases Discharge, &c. to be at any Period not later than Two Years from petitioning.

Exception.

Discharge may extend to Process for Contempt in Non-payment of Money;

and to Costs incurred by Creditor, but subject to Taxation.

such ascertaining of the Amount of the said Demands as may be had by Taxation or otherwise, and to such Examination thereof as is herein provided in respect of all Claims to a Dividend of such Insolvent's Estate and Effects.

Discharge may extend to Sums payable by way of Annuity, &c.

LI. And be it further enacted, That the Discharge of any such Prisoner so adjudicated as aforesaid shall and may extend to any Sum and Sums of Money which shall be payable, by way of Annuity or otherwise, at any future Time or Times, by virtue of any Bond, Covenant or other Securities of any Nature whatsoever; and that every Person and Persons who would be a Creditor or Creditors of such Prisoner, for such Sum or Sums of Money, if the same were presently due, shall be admissible as a Creditor or Creditors of such Prisoner, for the Value of such Sum or Sums of Money so payable as aforesaid, which Value the said Court shall, upon Application at any Time made in that Behalf, ascertain, regard being had to the original Price given for such Sum or Sums of Money, deducting therefrom such Diminution in the Value thereof as shall have been caused by the Lapse of Time since the Grant thereof to the Time of filing such Prisoner's Petition; and such Creditor or Creditors shall be entitled in respect of such Value to the Benefit of all the Provisions made for Creditors by this Act, without Prejudice nevertheless to the respective Securities of such Creditor or Creditors, excepting as respects such Prisoner's Discharge under this Act.

Proviso for Securities held by Creditor.

Court, &c. may order Prisoner to be confined within Walls of Prison.

LII. And be it further enacted, That in all such Cases, where it shall be adjudged that any such Prisoner shall be so discharged and so entitled as aforesaid at some future Period, it shall be lawful for the said Court or Commissioner or Justices, if it shall seem fit, to direct that such Prisoner shall be confined during any such Period within the Walls of the Prison, and not within any Rules or Liberties thereof.

Court, &c. may order Costs, in certain Cases, to opposing Creditors out of Insolvent's Estate.

LIII. And be it further enacted, That whenever any Creditor or Creditors opposing any such Prisoner's Discharge shall prove to the Satisfaction of the said Court or Commissioner or Justices that such Prisoner has done or committed any Act for which, upon such Adjudication as aforesaid, he or she may be liable to remain in such Custody as aforesaid for a Period not exceeding Three Years, to be computed as aforesaid, the said Court or Commissioner or Justices shall adjudge the taxed Costs of such Opposition to be paid to such opposing Creditor or Creditors out of the Estate and Effects of such Prisoner, by his or her Assignee or Assignees, before any Dividend made thereof; and in all other Cases of Opposition to a Prisoner's Discharge being substantiated or effectual, it shall be lawful for the said Court or Commissioner or Justices to adjudge in like Manner, if it shall seem fit; and that in case it shall appear to the said Court or Commissioner or Justices that the Opposition of any Creditor to any such Prisoner's Discharge was frivolous and vexatious, it shall and may be lawful for the said Court or Commissioner or Justices to award such Costs to such Prisoner as shall appear to be just and reasonable, to be paid by the Creditor or Creditors making such Opposition, which shall be paid accordingly.

Where Opposition frivolous, Costs may be paid to Prisoner by Creditor.

Court or Commissioner to

LIV. And be it enacted, That where in the Matter of any such Petition heard before the said Court, or a Commissioner thereof

on his Circuit, any such Adjudication shall have been made as aforesaid by the said Court or Commissioner, Order shall be made accordingly by the said Court or Commissioner, in pursuance of such Adjudication, and the said Court or Commissioner shall also issue a Warrant or Warrants to the Gaoler accordingly, ordering the Discharge of such Prisoner from Custody as to the Detainers under which he or she shall then be confined, or which shall be lodged against him or her before he or she shall be out of Custody, the same being for Debts in respect of which such Adjudication shall have been made; and where in the Matter of the Petition of any Prisoner heard before such Justices as aforesaid any such Adjudication as aforesaid shall have been made by such Justices, the said Justices shall forthwith certify such Adjudication to the said Court, whereupon the said Court shall order that such Prisoner shall be discharged from Custody, and entitled to the Benefit of this Act, according to such Adjudication, at the Period or Periods expressed therein, and shall order such Costs to be paid as shall have been adjudged by the said Justices in pursuance of the Provisions of this Act, and shall issue a Warrant or Warrants to the Gaoler accordingly, ordering the Discharge of such Prisoner from Custody as to the Detainers under which he or she shall then be confined, or which shall be lodged against him or her before he or she shall be out of Custody, the same being for Debts in respect of which such Adjudication shall have been made; and that every such Order of Adjudication shall take effect as from the Day on which the Adjudication shall have been made in that Behalf; and that every such Adjudication, and Certificate thereof and Order thereupon, may be made without specifying therein any such Debt or Debts, or Sum or Sums of Money, or Claims as aforesaid, or naming therein any such Creditor or Creditors as aforesaid, excepting so far as shall be necessary in any Case in order to distinguish between the Creditors as to whom any such Prisoner may be adjudged to be so discharged and entitled as aforesaid, forthwith, and the Creditors as to whom he or she may be adjudged to be so discharged and entitled at some future Period: Provided nevertheless, that in all Cases the Detainer or Detainers with respect to which any such Prisoner shall have been adjudged to be discharged out of Custody, he or she being then in Custody thereupon, shall be specified in the Warrant of the said Court or Commissioner, to be delivered to the Gaoler in that Behalf.

make Order, pursuant to Adjudication; and issue Warrant to Gaoler.

Justices to certify their Adjudication to Court, who shall thereupon make Order, and issue Warrant to Gaoler.

Specification of Debts, &c. not necessary in Order of Adjudication.

Detainer to be specified in Warrant to Gaoler.

LV. Provided always, and be it enacted, That in all Cases where it shall have been adjudged that any such Prisoner shall be so discharged and so entitled as aforesaid at some future Period, such Prisoner shall be subject and liable to be detained in Prison, and to be arrested and charged in Custody at the Suit of any One or more of his or her Creditors with respect to whom it shall have been so adjudged, at any Time before such Period shall have arrived, in the same Manner as he or she would have been subject and liable thereto if this Act had not passed: Provided nevertheless, that when such Period shall have arrived such Prisoner shall be entitled to the Benefit and Protection of this Act, notwithstanding that he or she may have been out of actual Custody during all or any Part of the Time subsequent to such Adjudication,

Where Adjudication of Discharge at a future Period, Prisoner may be arrested, &c. till Period arrives.

Proviso.

cation, by reason of such Prisoner not having been arrested or detained during such Time, or any Part thereof.

Court may order detaining Creditor to pay Prisoner a Sum not exceeding 4s. a Week.

LVI. And be it further enacted, That in all Cases where such Prisoner shall, upon such Adjudication as aforesaid, be liable to further Imprisonment at the Suit of his or her Creditor or Creditors, or any or either of them, it shall be lawful at any Time for the said Court, on the Application of such Prisoner, to order the Creditor or Creditors at whose Suit he or she shall be so imprisoned to pay to such Prisoner such Sum or Sums of Money, not exceeding the Rate of Four Shillings by the Week in the whole, at such Times, and in such Manner, and in such Proportions, as the said Court shall direct; and that on Failure of Payment thereof, as directed by the said Court, the said Court shall order such Prisoner to be forthwith discharged from Custody at the Suit of the Creditor or Creditors so failing to pay the same.

Before Adjudication, Prisoner shall execute Warrant of Attorney to confess Judgment for Amount of Debts in Schedule.

LVII. And be it further enacted, That before any Adjudication shall be made in the Matter of the Petition of any such Prisoner, the said Court or Commissioner or Justices shall require such Prisoner to execute a Warrant of Attorney to authorize the entering up of a Judgment against such Prisoner in some One of the superior Courts at *Westminster*, in the Name of the Assignee or Assignees of such Prisoner, or of such Provisional Assignee, if no other Assignee shall have been appointed and shall have accepted such Office, for the Amount of the Debts stated in the Schedule of such Prisoner so sworn to as aforesaid, to be due or claimed to be due from such Prisoner, or so much thereof as shall appear at the Time of executing such Warrant of Attorney to be due and unsatisfied; and the Order of the said Court for entering up such Judgment shall be a sufficient Authority to the proper Officer for entering up the same, and such Judgment shall have the Force of a Recognizance; and if at any Time it shall appear to the Satisfaction of the said Court that such Prisoner is of ability to pay such Debts, or any Part thereof, or that he or she is dead, leaving Assets for that Purpose, the said Court may permit Execution to be taken out upon such Judgment, for such Sum of Money as under all the Circumstances of the Case the said Court shall order, such Sum to be distributed rateably amongst the Creditors of such Prisoner according to the Mode hereinbefore directed in the Case of a Dividend made after Adjudication; and such further Proceedings shall and may be had upon such Judgment as may seem fit to the Discretion of the said Court from time to time, until the whole of the Debts due to the several Persons against whom such Discharge shall have been obtained shall be fully paid and satisfied, together with such Costs as the said Court shall think fit to award; and no Scire facias shall be necessary to revive such Judgment on account of any Lapse of Time, but Execution shall at all Times issue thereon by virtue of the Order of the said Court: Provided always, that in case any such Application against any such Prisoner shall appear to the said Court to be ill founded and vexatious, it shall be lawful for the said Court not only to refuse to make any Order on such Application, but also to dismiss the same, with such Costs against the Party or Parties making the same as to the said Court shall appear reasonable, and the said Costs shall be paid accordingly.

Court may permit Execution to be taken out thereupon, when Insolvent is of ability to pay, or is dead, leaving Assets.

No Scire facias necessary.

If Application ill founded, Court may dismiss with Costs.

LVIII. And

LVIII. And be it further enacted, That in case any such Person shall, after he or she has become entitled to the Benefit of this Act, by any such Adjudication as aforesaid, become entitled to or possessed of, in his or her own Right, any Stock in the Public Funds of this Country, or any Bills of Exchange, Promissory Notes, Bank Notes, or other Choses in Action, or other Property, whether the same be in *England* or elsewhere, which by Law cannot be taken in Execution under the said Judgment so to be entered up in the Names of such Assignee or Assignees as aforesaid, and such Prisoner shall have refused to convey or assign or transfer such Stock, Bills of Exchange, Promissory Notes, Bank Notes, or other Choses in Action, or other Property, or so much thereof as may be sufficient to satisfy the said Judgment, then and in such Case it shall and may be lawful for the Assignee or Assignees of such Prisoner to apply by Petition in a summary Way, setting forth the Facts of the Case to the said Court, and to pray that the said Prisoner may be taken and committed to Custody notwithstanding any such Adjudication and Discharge as aforesaid; and thereupon, if upon Examination by the said Court, and hearing as well the said Assignee or Assignees as the said Prisoner, in case he or she shall appear, or the said Assignee or Assignees only, in case such Prisoner, due Notice having been given to him or her, shall not appear, it shall appear to the said Court that the Contents of such Petition are true, then and in such Case the said Court shall so declare and adjudge, and shall thereupon order the said Prisoner to be apprehended, and committed to Custody, within the Walls of any Prison which the said Court shall direct, and not within any Rules or Liberties thereof, until he or she shall convey, assign and transfer such Bills of Exchange, Promissory Notes, Bank Notes, or other Choses in Action, or other Property, or so much thereof as the said Court shall direct, towards the Satisfaction of the said Judgment, to such Assignee or Assignees, for the general Benefit of the Creditors of such Prisoner.

Where Insolvent shall after Discharge be come entitled to Property which cannot be taken in Execution, Assignees may apply to Court for Relief, by Petition.

Court may order Prisoner to be remanded to Custody until he transfers such Property.

LIX. And be it further enacted, That in case any Person or Persons, Body Politic or Corporate, shall, after any such Insolvent shall have become entitled to the Benefit of this Act by any such Adjudication as aforesaid; become or be possessed of, or have under his or their Power or Controul, any Stock in the Public Funds of this Country, or any Legacy, Money due or growing due, Bills of Exchange, Promissory Notes, Bank Notes, Securities for Money, Goods and Chattels or any other Property whatsoever, belonging to such Insolvent, or held in trust for him or her, or for his or her Use and Benefit, or to which such Insolvent shall be in any Way entitled, or in case any such Person or Persons, Body Politic or Corporate, shall be at such Period in any Manner indebted to such Insolvent, it shall and may be lawful for the said Court, upon the Application of any Assignee or Creditor of such Insolvent, to cause Notice to be given to such Person or Persons, Body Politic or Corporate, directing him, her or them to hold and retain the said Property till the said Court shall make further Order concerning the same; and thereupon it shall be lawful for the said Court further to order such Person or Persons, Body Politic or Corporate, to deliver over such Property, and to pay

Manner of proceeding where, after Discharge of a Prisoner, any Person shall be possessed of Stock in Public Funds, &c. belonging to him.

such Debts as aforesaid, or any Part thereof, to the Provisional or other Assignee or Assignees of the Estate and Effects of such Insolvent, for the general Benefit of the Creditors of such Insolvent, entitled to claim under such Judgment entered up by Order of the said Court as aforesaid; and such Delivery and Payment shall be made accordingly, in obedience to such Order; and such Person and Persons, Body Politic and Corporate, shall by such Payment and Delivery, so made in pursuance of such Order of the said Court, be discharged in respect of such Property and Debts against all Persons whatsoever, to all Intents and Purposes.

Person discharged under this Act not liable to Imprisonment for Debts, &c. to which Adjudication extends.

LX. And be it further enacted, That no Person who shall have become entitled to the Benefit of this Act by any such Adjudication as aforesaid shall at any Time thereafter be imprisoned by reason of the Judgment so as aforesaid entered up against him or her, according to this Act, or for or by reason of any Debt or Sum of Money or Costs, with respect to which such Person shall have become so entitled, or for or by reason of any Judgment, Decree or Order for Payment of the same; but that upon every Arrest or Detainer in Prison upon any such Judgment so entered up as aforesaid, or for or by reason of any such Debt or Sum of Money or Costs, or Judgment, Decree or Order for Payment of the same, it shall and may be lawful for any Judge of the Court from which any Process shall have issued in respect thereof, and such Judge is hereby required, upon Proof made to his Satisfaction that the Cause of such Arrest or Detainer is such as hereinbefore mentioned, to release such Prisoner from Custody, unless it shall appear to such Judge, upon Inquiry, that such Adjudication as aforesaid was made without due Notice, where Notice is by this Act required, being given to or acknowledged by the Plaintiff, or such Process, or being by him or her dispensed with by the Acceptance of a Dividend under this Act, or otherwise; and at the same Time, if such Judge shall in his Discretion think fit, it shall and may be lawful for him to order such Plaintiff, or any Person or Persons suing out such Process, to pay such Prisoner the Costs which he or she shall have incurred on such Occasion, or so much thereof as to such Judge shall seem just and reasonable, such Prisoner causing a Common Appearance to be entered for him or her in such Action or Suit.

If arrested, to be released by Judge of the Court from which Process issued,

who may order Costs to be paid to him.

LXI. And be it further enacted, That after any Person shall have become entitled to the Benefit of this Act by any such Adjudication as aforesaid no Writ of Fieri facias or Elegit shall issue on any Judgment obtained against such Prisoner, for any Debt or Sum of Money with respect to which such Person shall have so become entitled, nor in any Action upon any new Contract or Security for Payment thereof, except upon the Judgment entered up against such Prisoner according to this Act; and that if any Suit or Action shall be brought, or any Scire facias be issued against any such Person, his or her Heirs, Executors or Administrators, for any such Debt or Sum of Money, or upon any new Contract or Security for Payment thereof, or upon any Judgment obtained against, or any Statute or Recognizance acknowledged by such Person for the same, except as aforesaid, it shall and may be lawful for such Person, his or her Heirs, Executors or Administrators, to plead generally that such Person

After Discharge, no Execution to issue against Insolvent for Debts, &c. to which Adjudication extends.

How Discharge under

was

was duly discharged according to this Act by the Order of Adjudication made in that Behalf, and that such Order remains in force, without pleading any other Matter specially; whereto the Plaintiff or Plaintiffs shall or may reply generally and deny the Matters pleaded as aforesaid, or reply any other Matter or Thing which may show the Defendant or Defendants not to be entitled to the Benefit of this Act, or that such Person was not duly discharged according to the Provisions thereof, in the same Manner as the Plaintiff or Plaintiffs might have replied, in case the Defendant or Defendants had pleaded this Act, and a Discharge by virtue thereof, specially.

this Act may be pleaded.

LXII. Provided always, and be it enacted, That if at any Time after Adjudication made in the Matter of any such Prisoner's Petition, in pursuance of this Act, it shall appear to the Satisfaction of the said Court that all the Debts in respect of which such Adjudication was made have been discharged and satisfied, it shall be lawful for such Court, upon Application duly made, to direct the Warrant of Attorney executed by such Prisoner under this Act to be cancelled, or if Judgment shall have been entered up thereon, to order Satisfaction to be entered on such Judgment, and the Order of the said Court for entering up such Satisfaction shall be a sufficient Authority to the proper Officer for entering up the same; and that if in any Case it shall appear to the Satisfaction of the said Court that after the Debts of any such Prisoner shall have been so discharged and satisfied as aforesaid, there shall remain in the Possession or subject to the Controul of his or her Assignee or Assignees, any Property of any Kind or Description whatsoever which has come to such Assignee or Assignees, or to which he or they may claim Title, by virtue of the Assignment executed in that Behalf or otherwise, by virtue of his or their Office of Assignee or Assignees, it shall and may be lawful for the said Court, on Application duly made, to order and compel such Assignee or Assignees forthwith to execute a Conveyance and Assignment of all such Property so remaining as aforesaid, to the Person whose Debts shall have been so discharged and satisfied, or his or her Heirs, Executors, Administrators or Assigns; and that any Deed of Release to be recorded in the said Court, by which any such Debt or Debts shall be released or discharged, shall not be liable to any Stamp Duty.

When Debts satisfied, Court may order Warrant of Attorney to be cancelled, and Satisfaction entered on Judgment;

and a Re-assignment to be executed.

Not liable to Stamp Duty.

LXIII. And Whereas it may sometimes happen that a Debt of, or Claim upon, or Balance due from such Prisoner as aforesaid may be specified in his or her Schedule so sworn to as aforesaid, at an Amount which is not exactly the actual Amount thereof, without any culpable Negligence or Fraud or evil Intention on the Part of such Prisoner; Be it enacted, That in such Case the said Prisoner shall be entitled to all and every Benefit and Protection of this Act; and the Creditor in that Behalf shall be entitled to the Benefit of all the Provisions made for Creditors by this Act, in respect of the actual Amount of such Debt, Claim or Balance, and neither more nor less than the same, to all Intents and Purposes, such Error in the said Schedule notwithstanding.

How Act to operate.

Where Error in Schedule, without Fraud.

LXIV. And be it further enacted, That no Person petitioning the said Court for Relief under this Act, who shall have been at any

Persons who have already

taken Benefit of Insolvent Act, and uncertificated Bankrupts, not entitled to Relief under this Act, within Five Years, except in certain Cases.

any Time discharged by virtue of the same, or of any other Act for the Relief of Insolvent Debtors, or who shall have been duly declared Bankrupt before the Commencement of his or her Imprisonment, under any Commission still remaining in force, and shall not have obtained his or her Certificate under such Commission, shall be entitled to the Benefit of this Act within the Space of Five Years after such Discharge or Declaration of Bankruptcy, unless Three Fourths in Number and Value of the Creditors against whom such Person shall seek to be discharged by virtue of this Act shall signify their Assent to such Discharge, or it shall be made to appear to the Satisfaction of the said Court, or of a Commissioner thereof on his Circuit, or such Justices as aforesaid, before whom the said Person shall be brought for the Hearing of the Matters of his or her Petition, that such Person has since such former Discharge or Declaration of Bankruptcy, endeavoured by Industry and Frugality to pay all just Demands upon him or her, and has incurred no unnecessary Expence, and that the Debts which such Person has incurred, subsequent to such Discharge or Declaration of Bankruptcy, have been necessarily incurred for the Maintenance of such Person, or his or her Family, or that the Insolvency of such Person has arisen from Misfortune, or from Inability to acquire Subsistence for himself or herself and his or her Family.

Court, at Request of Creditors, may remove Prisoners from the Gaols in London, Middlesex or Surrey, if their usual Residence was elsewhere, to be heard in the County to which they are removed.

LXV. And be it further enacted, That if on the Hearing of any Prisoner's Petition before the said Court it shall appear to the Satisfaction of the said Court that the usual Place of Abode of such Prisoner, lately before his or her Arrest, was in some County or Place within the United Kingdom other than the Counties of *Middlesex* or *Surrey*, or City of *London* or Borough of *Southwark*, it shall be lawful for the said Court, if it shall think fit, upon the Request of any Creditor or Creditors of such Prisoner, to order such Prisoner to be taken, at the Expence of such Creditor or Creditors, from the Gaol in which such Prisoner shall then be, to the Gaol of the County or Place where such Prisoner had lately, before such Arrest, his or her usual Place of Abode; and if such late usual Place of Abode was in *Scotland* or *Ireland*, then to the Gaol of such County or Place as to the said Court shall, under the Circumstances of the Case, appear just and reasonable; and the Order of the said Court in that Behalf, directed to the Keepers of the said Gaols respectively, shall be their sufficient Warrant, and they are hereby required, in pursuance thereof, to deliver and receive respectively the Body of such Prisoner, together with a Certificate of the Day or Days, and Cause or Causes of Detainer against such Prisoner, who shall from and after such Removal be deemed to be in Custody of the Sheriff or other responsible Officer of the County or Place wherein the Gaol shall be situate, to which such Prisoner shall have been so removed; and the said Court shall order such Removal of the said Prisoner from such Gaol as aforesaid to be made on or before a Day to be named in such Order, and if such Prisoner shall not be removed accordingly on or before the said Day, or on or before a Day which the said Court shall name in any Enlargement of the said Order (which Enlargement it is hereby empowered to make whenever it shall seem just and reasonable so to do), then the said Court

Court shall, upon Application duly made, appoint a Time for the Hearing of the Matters of such Prisoner's Petition by the said Court, and such Advertisement thereof shall be published, and such Notice given, and to such Persons as the said Court shall in any Case direct; and when any such Prisoner shall have been removed, and shall be in Custody in any Gaol, in pursuance of such Order or of any Enlargement thereof, the said Court shall appoint a Time and Place for the Hearing of the Matters of such Petition, in the County or Place where such Gaol shall be situate, and such Advertisement thereof shall be published, and such Notice thereof given, and to such Persons as the said Court shall in any Case direct: Provided always, that when the Hearing of any such Prisoner's Petition shall take place, after such Removal or Failure of Removal of such Prisoner as aforesaid, it shall be lawful for all the Creditors of such Prisoner to oppose the Discharge of such Prisoner as in other Cases, although no such Creditor shall have opposed or given Notice to oppose the said Discharge at the Time first appointed for the Hearing of such Petition; and that in all Cases where any such Prisoner shall be so removed as aforesaid, the Expence incurred in such Removal by the Creditor or Creditors requesting the same shall be repaid to him, her or them, by the Assignee or Assignees of the Estate and Effects of such Prisoner, out of such Estate and Effects, before any Dividend shall be made thereof.

LXVI. Provided always, and be it further enacted, That the Benefit of this Act shall not be allowed to any Prisoner petitioning the said Court, who having been arrested in any County or Place where he or she had, at or lately before such Arrest, his or her usual Place of Abode, other than in the Counties of *Middlesex* or *Surrey*, or the City of *London* or Borough of *Southwark*, such usual Place of Abode being distant more than Twenty Miles from the Court House of the said Court, shall be removed by any Writ of Habeas Corpus sued out on his or her Behalf, or by his or her Procurement or Request, from Custody in such County or Place to any other Custody: Provided nevertheless, that it shall and may be lawful for the said Court, if in any Case the said Court shall think fit, at any Time within Ten Days after the filing of the Petition of any such Prisoner, or within such further Time as the said Court shall allow, upon the Request of any such Prisoner, to order such Prisoner to be taken, at the Expence of any Person or Persons who will pay the same, from the Gaol in which such Prisoner shall then be to the Gaol of the County or Place where such Prisoner was arrested as aforesaid, and the Order of the said Court in that Behalf, directed to the Keepers of the said Gaols respectively, shall be their sufficient Warrant, and they are hereby required in pursuance thereof to deliver and receive respectively the Body of such Prisoner, together with a Certificate of the Day or Days, and Cause or Causes of Detainer against such Prisoner, who shall from and after such Removal be deemed to be in Custody of the Sheriff or other responsible Officer of the County or Place wherein the Gaol shall be situate, to which such Prisoner shall have been so removed by such Order; and the said Court shall order such Removal of the said Prisoner from such Gaol as aforesaid to be made on or before a Day to be named in such Order

Time for hearing Prisoner's Petition to be advertised.

Notice thereof.

After such Removal, Creditors may oppose Discharge.

Expence of Removal of Prisoners.

Benefit of Act not to be allowed to Prisoners removed by Habeas Corpus.

Court may permit such Prisoner to be removed back at Expence of any Person willing to pay same;

Duty of Gaolers in respect thereof;

whereupon
same Proceed-
ings as in other
Cases.

Adjudication
and Order to
be final, unless
obtained on
false Evidence,
&c. in which
Case Court
may order a
Rehearing.

Duty of Gaoler.

How Insolvent
refusing to ap-
pear to be
dealt with.

Order or in any Enlargement of the same, which Enlargement the said Court is hereby empowered to make whenever it shall seem just and reasonable so to do; and when any such Prisoner shall have been removed, and shall be in Custody in any Gaol in pursuance of such Order, the said Court shall and may appoint a Time and Place for hearing the Matters of such Prisoner's Petition and Schedule, according to the Provisions of this Act, whereupon such Proceedings shall be had as if such Prisoner had been in the said last mentioned Gaol at the Time of filing his or her Petition.

LXVII. And be it further enacted, That every such Adjudication as aforesaid by the said Court, Commissioner or Justice, as aforesaid, in the Matter of any Prisoner's Petition, and the Order thereupon, so made as aforesaid, shall be final and conclusive, and shall not be reviewed by the said Court, unless the said Court shall thereafter see good and sufficient Cause to believe that such Adjudication has been made on false Evidence, or otherwise improperly made or fraudulently obtained, in which Case it shall and may be lawful for the said Court, upon the Application of such Prisoner, or of any Creditor of such Prisoner, to order such Prisoner, upon due Notice to be given to such Persons, and in such Manner as the said Court shall direct, to attend, or to be brought up, and the said Matter to be reheard before the said Court, or One of the Commissioners thereof on his Circuit, or such Justices as aforesaid, as the Case may require, who shall thereupon rehear the same, and shall and may, if just Cause shall appear, annul the original Adjudication and Order thereupon made in such Case, and shall have the same Powers and Authorities upon such Rehearing as upon any original Hearing in pursuance of this Act, and may adjudicate in such Matter accordingly; and thereupon, in case the former Adjudication in the said Matter shall not be confirmed, such Order, Certificate and Warrant shall be made as required by this Act to be made upon such original Adjudication; and the said Court or Commissioner or Justices shall and may, if necessary, remand the said Prisoner to the same Custody in which he or she was at the Time of the former Hearing of the Matters of his or her Petition, there to be subject to Imprisonment as if the former Adjudication therein had not been made; and thereupon all Detainers which were in force against such Prisoner at the Time of his or her former Discharge from Custody shall be deemed to be still in force against him or her as if such former Adjudication had not been made; and the Gaoler or Keeper of the Prison to which such Prisoner shall be so remanded shall and is hereby required to receive such Prisoner into his Custody, in pursuance of such Remand, for doing which the Order of Remand in such Case shall be his sufficient Warrant; and where in any Case such Prisoner shall refuse or neglect to appear before the said Court or Commissioner or Justices, according to such Order for Rehearing as aforesaid, a Copy whereof shall have been duly served on such Prisoner, it shall and may be lawful for the said Court to order such Prisoner to be apprehended, and committed to Custody in such Prison as the said Court shall direct, and to issue its Warrant accordingly, and to cause such Prisoner to be brought

brought up for Examination as often as to the said Court or Commissioner or Justices shall seem fit: Provided always, that where upon such Rehearing it shall appear to the said Court, Commissioner or Justices, that such Prisoner is not entitled to the Benefit of this Act until some future Period, according to the Provisions hereinbefore contained, the said Court, Commissioner or Justices, shall and may, if it shall appear reasonable, adjudge the Discharge of such Prisoner at such future Period to be calculated without including the Time during which such Prisoner shall have been out of Custody since the Time appointed for his or her Discharge by such former Adjudication as aforesaid.

In Adjudication of Discharge on Rehearing, Time since former Hearing not calculated.

LXVIII. Provided always, and be it further enacted, That if in any Case an Order or Warrant for the Discharge of any such Prisoner shall have issued erroneously, and which is not pursuant to the Adjudication made in that Behalf, it shall be lawful for the said Court, on such Error being shewn to the said Court, to revoke such Order and Warrant, and to annul, suspend or amend the same, according to such Adjudication, and if necessary to recommit such Prisoner to his or her former Custody, when by such Order or Warrant he or she shall have been discharged therefrom; and the Gaoler or Keeper of the Prison to whose Custody such Prisoner shall be so recommitted is hereby required to receive such Prisoner into his Custody according to such Recommitment; and all Detainers which were in force against such Prisoner at the Time of such Discharge as aforesaid shall be deemed to be still in force against him or her, as if such erroneous Order or Warrant had not issued.

Where Order of Discharge has been issued by Mistake, Court may revoke and amend the same.

LXIX. And Whereas the Estate, both Real and Personal, of any Person whose Discharge has been adjudicated under this Act, may not be sufficiently described or discovered in his or her Schedule so sworn to as aforesaid, or the Assistance of such Person may be necessary to adjust, make out, recover or manage his or her Estate or Effects, for the Benefit of his or her Creditors; Be it therefore enacted, That it shall and may be lawful to and for the Assignee or Assignees of the Estate and Effects of any such Person whose Discharge shall have been adjudicated under this Act, from time to time to apply to the said Court, that such Person may be further examined as to any Matters or Things relating to his or her Estate and Effects, either by the said Court, or a Commissioner thereof on his Circuit, or by any Justice of the Peace within the Principality of *Wales*, for the County or Place within the said Principality where such Person shall then reside, or by any Justice of the Peace within the Town of *Berwick upon Tweed*; and if the said Court shall order any such Examination before any such Justice, such Justice shall send for or call before him such Person by such Warrant, Summons, Ways or Means as he shall think fit; and if such Person shall appear before such Justice, such Justice shall examine him or her upon Oath, or otherwise, as to such Matters and Things as such Assignee or Assignees shall desire, relating to the Estate and Effects of such Person; and if any such Person on Payment or Tender of Payment of such reasonable Charges as such Justice shall judge sufficient, shall neglect or refuse to appear before such Justice, or having come before such Justice shall refuse to be

Prisoner may, after Discharge, be examined as to Estate and Effects on Application of Assignee.

Prisoner refusing to appear, or to answer Questions,

may be committed.

be sworn, or to answer such Questions as by such Justice shall be put to him or her, relating to the Discovery of his or her Estate and Effects, vested or intended to be vested in such Assignee or Assignees as aforesaid, as required by the Order of the said Court, such Justice shall certify such Default to the said Court; and thereupon, and also in case such Person shall neglect or refuse to appear before such Court or Commissioner, at such Time and Place as shall be directed by such Order, or appearing shall refuse to be sworn, or to answer such Questions as shall be put to him or her relating to the Discovery of his or her said Estate and Effects, then and in any of such Cases it shall be lawful for such Court or Commissioner, by Warrant, to commit such Person to the Common Gaol of any County or Place, there to remain without Bail or Mainprize until such Time as he or she shall submit himself or herself to the Order of the said Court in that Behalf, and shall answer upon Oath or otherwise, as shall be required, to all such lawful Questions as shall be put to him or her in pursuance of the same for the Purposes aforesaid.

Wilfully omitting any Thing in Schedule,

LXX. And be it further enacted, That in case any Prisoner shall, with intent to defraud his or her Creditors or Creditor, wilfully and fraudently omit in his or her Schedule, so sworn to as aforesaid, any Effects or Property whatsoever, or retain or except out of such Schedule, as Wearing Apparel, Bedding, Working Tools and Implements, or other Necessaries, Property of greater Value than Twenty Pounds, every such Person so offending, and any Person aiding and assisting him to do the same, shall, upon being thereof convicted by due Course of Law, be adjudged guilty of a Misdemeanor, and thereupon it shall and may be lawful for the Court before whom such Offender shall have been so tried and convicted to sentence such Offender to be imprisoned and kept to hard Labour for any Period of Time not exceeding Three Years; and that in every Indictment or Information against any Person for such Offence, it shall be sufficient to set forth the Substance of the Offence charged on the Defendant, without setting forth the Petition, or Conveyance or Assignment to the Provisional Assignee, Appointment of Assignee or Assignees, or any Conveyance or Assignment whatever, or Balance Sheet, Order for Hearing, Adjudication, Order of Discharge or Remand, or any Warrant, Rule, Order or Proceeding of or in the said Court, except so much of the Schedule of such Prisoner as may be necessary for the Purpose.

Misdemeanor.

Punishment.
What Matters only Indictment need set out.

Swearing or affirming falsely under this Act.

LXXI. And be it further enacted, That if any Prisoner who shall apply for his or her Discharge under the Provisions of this Act, or any other Person taking an Oath under the Provisions of this Act, shall wilfully forswear and perjure himself or herself in any Oath to be taken under this Act, and shall be lawfully convicted thereof, he or she so offending shall suffer such Punishment as may by Law be inflicted on Persons convicted of wilful and corrupt Perjury; and that in all Cases wherein by this Act an Oath is required, the solemn Affirmation of any Person, being a Quaker, shall and may be accepted and taken in lieu thereof; and that every Person making such Affirmation, who shall be convicted of wilful false Affirmation, shall incur and suffer such and the same

Perjury.

same Penalties as are inflicted and imposed upon Persons convicted of wilful and corrupt Perjury.

' LXXII. And Whereas a Married Woman, being a Prisoner for Debt, cannot execute such Conveyance and Assignment, nor such Warrant of Attorney as is hereinbefore directed, and therefore cannot petition for and obtain a Discharge under this Act, without special Provision being made for such Purpose ;' Be it therefore enacted, That if any Married Woman, being a Prisoner within the Intent and Meaning of this Act, shall petition to be discharged from any Debt or Debts under the Provisions thereof, it shall be lawful for the said Court to receive such Petition, without requiring such Married Woman to execute such Conveyance or Assignment, or such Warrant as aforesaid, but instead thereof that the said Court shall require such Married Woman to execute a Conveyance and Assignment for vesting in such Provisional Assignee as aforesaid all Property, Real and Personal, to which she may be entitled for her separate Use, or over which she shall have any Power of Disposition, notwithstanding her Coverture, or which shall be vested in any Trustees or Trustee, or other Person or Persons, for her Benefit, and to deliver up all Personal Estate and Effects of which she shall have the actual Possession, except her Wearing Apparel, Bedding and other such Necessaries, not exceeding in the whole the Value of Twenty Pounds, and also all other Real and Personal Estate and Effects to which she shall be entitled in any Manner whatsoever, in Possession, Remainder or Reversion, subject only to such Right, Title or Interest as her Husband may have therein ; all which Acts she is hereby empowered to do without her Husband, notwithstanding her Coverture, so nevertheless as not to prejudice any Rights of her Husband in such Real and Personal Estate and Effects respectively ; and all such Estate and Effects, Real and Personal, in Possession, Remainder or Reversion, shall by such Conveyance and Assignment, so to be executed under the Order of the said Court, be as effectually vested in such Provisional Assignee as aforesaid, as the same might have been vested in him by the Conveyance and Assignment of such Woman if she had been sole and unmarried, subject only to the Rights of her Husband therein as aforesaid ; and all Provisions in this Act contained touching the Real and Personal Estate of any Prisoner seeking to be discharged under the Authority thereof, shall apply to such Real and Personal Estate and Effects respectively, in the same Manner as the same would apply to such Real or Personal Estate and Effects if such Woman had been sole and unmarried, subject only to the Rights of her Husband therein ; and such Married Woman shall also execute a Warrant of Attorney to confess Judgment in One of the superior Courts aforesaid, for the Amount of the Debts remaining unpaid from which she shall be so discharged as aforesaid ; and such Warrant of Attorney, so executed, shall be sufficient Authority for entering up Judgment against such Woman accordingly, notwithstanding her Coverture, but such Judgment shall not in any Manner prejudice or affect the Rights of her Husband, except that the same shall be deemed and taken to be her Debt, in case she shall die in the Lifetime of such Husband, to the End that the same may be discharged out of her personal Assets

Married Women may petition, on executing special Conveyance and Assignment as herein mentioned.

Proviso for Rights of the Husband.

Act to apply as if the Woman had been sole ;

she is to execute Warrant of Attorney ;

Assets

and to separate
Property ac-
quired by her
during Life-
time of Hus-
band.

Husband not
discharged by
Discharge of
Wife.

Mode of Pro-
ceeding with
Prisoners of
unsound Mind.

Application on
Notice may be
made on behalf
of such Pri-
soner.

Assets in a due Course of Administration, or out of her Real Estate, if any she shall have at the Time of her Death, but without Prejudice to any Estate or Interest of her Husband therein, as Tenant by the Curtesy; and in case such Woman shall, during the Lifetime of her Husband, become entitled to any Property for her separate Use, such Judgment may be enforced against such separate Property by Suit in Equity, or otherwise, under the Order of the said Court, for the Purpose of obtaining Payment of so much of the Debts in respect of which such Woman shall have been discharged by the said Court as shall then remain unpaid; and in case such Woman shall survive her said Husband, such Judgment may be after his Death enforced against such Woman or her Property, Real and Personal, in such and the same Manner, and with the same Effect, as it might have been if she had been sole and unmarried at the Time when she executed such Warrant of Attorney, and at the Time when such Judgment shall have been entered up as aforesaid: Provided always nevertheless, that the Discharge of any Married Woman under the Authority of this Act shall not operate to discharge her Husband from any Debt in respect of which his Wife shall be so discharged, but such Debt, so far as the same shall remain unpaid or unsatisfied, shall be chargeable upon and in force against such Husband, as fully to all Intents and Purposes as if his Wife had not obtained such Discharge.

LXXIII. And be it further enacted, That if any Person who shall at any Time be a Prisoner in any such Prison as aforesaid, upon any such Process as aforesaid, shall be or become of unsound Mind, and therefore incapable of taking the Benefit of this Act, in such Manner as he or she might have done if of sound Mind, the Gaoler or Keeper of such Prison shall forthwith require One or more Justice or Justices of the Peace for the County, Riding, Division or Place wherein such Prisoner shall be, to attend at the said Prison, and inquire into the State of Mind of such Prisoner; and thereupon, and also in case any such Justice or Justices shall receive Information by other Means, that any such Prisoner is of unsound Mind as aforesaid, such Justice or Justices shall go to the said Prison, and by his or their own View, and by Examination on Oath of such Person or Persons as he or they shall think fit to examine, shall inquire into the State of Mind of such Prisoner; and if it shall appear to such Justice or Justices upon such Inquiry, that such Prisoner is of unsound Mind, and therefore incapable of taking the Benefit of this Act, in such Manner as a Person of sound Mind might do, such Justice or Justices shall forthwith make a Record of the Fact, and certify the same to the said Court, and thereupon it shall be lawful for the said Court, at the Instance of any Person or Persons on behalf of such Prisoner, to order Notice to be inserted in the *London Gazette*, and in Two or more public Newspapers usually circulated in the Neighbourhood of such Prison, and in the Neighbourhood of the usual Residence of such Prisoner, before he or she was committed to such Prison, as the said Court shall see fit, that Application will be made to the said Court for the Discharge of such Prisoner on a Day to be specified in such Order and Notice, being Twenty one Days at least from the Day of Publication of such One of the said *Gazette* and Newspapers containing such Notice as shall be last published,

published, which Notice, together with the Service of the like Notice on the Creditor or Creditors at whose Suit such Prisoner shall be detained in Custody, or his, her, or their Attorney or Attornies in such Suit, shall be deemed sufficient to authorize the said Court to proceed to the Discharge of such Prisoner, if otherwise entitled to such Discharge, according to the true Intent and Meaning of this Act; and the said Court shall proceed accordingly, and shall discharge such Prisoner from Custody, and do all other Acts under this Act, in case it shall appear that such Prisoner might have obtained his or her Discharge under this Act if he or she had been of sound Mind; and thereupon all and every Estate, Right, Title, Interest in Law and Equity, Real and Personal, Power, Benefit, and Emolument whatsoever, which, if such Prisoner was of sound Mind, could or ought to be conveyed and assigned by such Prisoner, pursuant to the Provisions of this Act, shall, by force and virtue of the Order of the said Court for the Discharge of such Prisoner, be vested in the Provisional Assignee of the said Court, or in the other Assignee or Assignees appointed by the said Court, and named in the said Order, or in any other Order of the said Court in that Behalf, as fully and effectually, and in the same Manner, and with all and every the same Consequences and Effects, both in Fact and Law, to all Intents and Purposes whatsoever, as if such Prisoner had been of sound Mind, and had duly conveyed and assigned the same to such Provisional Assignee at the Time and in the Manner in this Act provided; and that it shall be lawful for the said Court to order Judgment to be entered up against such Prisoner, in the same Manner as if he or she had been of sound Mind, and had executed a Warrant of Attorney to authorize the entering up of such Judgment in the Manner hereinbefore directed, and such Order shall be a sufficient Authority to the proper Officer for entering up the same; and any Dividend to be made by such Assignee or Assignees shall be made in such Manner, and such Proceedings shall be thereupon had, as are hereinbefore provided in the Case of a Dividend of the Estate and Effects of any Prisoner made before Adjudication; and the Discharge of every such Prisoner of unsound Mind, so made as aforesaid, shall extend to all Debts and Sums of Money to which the same might have extended if such Prisoner had been of sound Mind, and had duly filed his or her Schedule, according to the Provisions of this Act: Provided always, that every such Order of Discharge, and of the Appointment of an Assignee or Assignees in such Case, shall be entered of Record in the said Court, and Proof thereof shall be received by such Copy thereof as is hereinbefore directed to be received as Proof of Conveyances and Assignments made in pursuance of this Act.

Court may discharge such Prisoners;

Effects of such Discharge;

may appoint Assignees;

may order Judgment to be entered up.

Order of Discharge and Appointment recorded. Copy thereof Evidence.

Discharge not to extend to Crown Debtors, unless Treasury consent.

LXXIV. And be it further enacted, That this Act shall not extend or be construed to extend to discharge any Prisoner seeking the Benefit thereof, with respect to any Debt due to His Majesty or His Successors, or to any Debt or Penalty with which he or she shall stand charged at the Suit of the Crown, or of any Person for any Offence committed against any Act or Acts of Parliament relative to any Branch of the Public Revenue, or at the Suit of any Sheriff or other Public Officer, upon any Bail Bond entered into for the Appearance of any Person prosecuted for any

such Offence, unless Three of the Commissioners of His Majesty's Treasury for the Time being shall certify under their Hands their Consent to such Discharge.

Prisoners under Writ of Capias or Extent may apply to Barons of Exchequer to be discharged.

Notice thereof to Sureties and others.

Proceedings thereon.

Proviso for Extents and Proceedings thereon.

Officer of Court to produce Proceedings, and give Copies.

Fee.

A Copy of such Proceedings

LXXV. And be it further enacted, That it shall and may be lawful for any Person who may now or shall hereafter be imprisoned under or by virtue of any Writ of Capias or Extent, issued and remaining in force at the Instance or for the Benefit and Reimbursement of any Surety or Sureties, or other Person or Persons, or the Inhabitants of any Parish, Ward or Place, who shall or may have advanced and paid the Debt to the Crown, and by reason whereof the Commissioners of His Majesty's Treasury may not be authorized to give their Consent as last aforesaid, to apply to the Barons of His Majesty's Court of Exchequer in *England or Scotland* for his or her Discharge, giving One Month's previous Notice in Writing to the Surety or Sureties, or Person or Persons aforesaid, or to the Churchwardens or Overseers of the Parish, Ward or Place at whose Instance or for whose Benefit respectively such Capias or Extent shall remain in force, of the Intention of such Person so imprisoned to make such Application, and an Enumeration and Description of all and every the Property, Debts and Effects whatsoever of such Person, in his or her own Possession or Power, or in the Possession or Power of any other Person or Persons, for his or her Use, and for the said Court to whom such Application shall be made, to order such Person to be brought before them, or before any Baron of the said Court, to be examined upon Oath touching and concerning his or her Property and Effects; and if such Person shall upon such Examination make a full Disclosure of all his or her Property and Effects, and it shall otherwise appear to the Satisfaction of such Court reasonable and proper that such Person should be no longer imprisoned under such Writ, for such Court or Baron to order a Writ of Supersedeas quoad Corpus to be issued out of the said Court, for the Liberation of such Person from such Imprisonment: Provided always, that no such Liberation as aforesaid shall be held or deemed to satisfy or supersede such Extent or any Proceedings thereon, except as to such Imprisonment as aforesaid, or the Debt or Debts seized under and by virtue thereof, and for which such Person shall be so imprisoned.

LXXVI. And be it further enacted, That the proper Officer of the said Court for the Relief of Insolvent Debtors shall, on the reasonable Request of any such Prisoner as aforesaid, or of any Creditor or Creditors of such Prisoner, or his, her or their Attorney, produce and shew to such Prisoner, Creditor or Creditors, and his, her or their Attorney, at such Times as the said Court shall direct, such Petition, Schedule, Order of Adjudication, and all other Orders and Proceedings made and had in the Matter of such Prisoner's Petition, and all Books, Papers and Writings filed in such Matter, and permit him, her or them to inspect and examine the same, and shall provide for any such Prisoner, Creditor or Creditors, or his, her or their Attorney, requiring the same, a Copy or Copies of such Petition and Schedule, or of such Part thereof as shall be so required, receiving such Fee as the said Court shall appoint for so providing the same; and that a Copy of such Petition, Schedule, Order and other Orders

Orders and Proceedings, purporting to be signed, by the Officer in whose Custody the same shall be, or his Deputy, certifying the same to be a true Copy of such Petition, Schedule, Order or other Proceeding, and sealed with the Seal of the said Court, shall at all Times be admitted in all Courts whatever, and before Commissioners of Bankrupt and Justices of the Peace, as sufficient Evidence of the same, without any Proof whatever given of the same, further than that the same is sealed with the Seal of the said Court as aforesaid.

under Seal to be admitted as Evidence.

LXXVII And be it further enacted, That when an Order has issued for hearing the Matter of the Petition and Schedule of any such Prisoner, at any Place other than in *Middlesex, Surrey, London and Southwark* aforesaid, such Prisoner shall, within Ten Days after such Order issued, or on such earlier Day as shall be named in such Order, cause the Duplicate of such Petition and Schedule, and all Books, Papers and Writings relating thereto in his or her Possession or Power, to be lodged with the Clerk of the Peace of the County, or County of a City or Town, or of the Town of *Berwick upon Tweed*, where he or she shall be in Custody, or with the Deputy of the said Clerk of the Peace, to be approved of by the said Court, and such Prisoner shall be subject to such Order as the said Court shall make to enforce Compliance with the Directions of this Act in this Behalf; and that the said Clerk of the Peace or his said Deputy shall, on the reasonable Request of such Prisoner, or of any Creditor or Creditors of such Prisoner, or of his, her or their Attorney, produce and shew to him, her or them such Petition and Schedule, and such Books, Papers and Writings, and permit him, her or them to inspect and examine the same, and may and shall receive the Fee of One Shilling from each and every Creditor, or his or her Attorney, at each Time of his, her or their so requesting and having the Production of the same or any Part thereof; and that such Clerk of the Peace or his said Deputy shall provide for any such Creditor or Creditors, or his, her or their Attorney requesting the same, a Copy or Copies of such Petition and Schedule, or of such Part thereof as shall be so required; and that such Clerk of the Peace or his said Deputy shall be entitled to receive Four Pence for every Sheet so copied, containing Seventy two Words, and no more, unless the same shall be the last or only Sheet, in which Case he shall be entitled to Four Pence for such last or only Sheet, although it does not contain Seventy two Words; and that every such Duplicate as aforesaid, and all the said Books, Papers and Writings shall be brought to the Place of such Hearing, and produced at such Hearing by the said Clerk of the Peace or his said Deputy, who shall and is hereby required to attend at the Hearing of the Matters of every such Petition, with proper Officers to preserve Order in the Court House or other Place of such Hearing, and where any such County shall be within the Circuit of One of the said Commissioners, then such Clerk of the Peace or his said Deputy shall and may act as Clerk to such Commissioner, to assist him in the Performance of his several Duties under this Act; and in all such Cases, both before such Commissioner and before such Justices as aforesaid, the said Clerk of the Peace or his said Deputy shall, in Consideration and Recompence of and for his Trouble in this

Manner of Proceeding when Hearing takes Place before Commissioners on Circuit, or Justices in Wales.

Duty and Fees to Clerk of the Peace for producing Books, giving Copies, and other Matters herein mentioned.

Proviso as to
lodging Duplic-
ates of Peti-
tions and Sched-
ules with
Town Clerk
and other
Officers.

Behalf, be entitled to receive from every such Prisoner so brought up for Hearing as aforesaid the Sum of Five Shillings, which shall be paid previously to the bringing up such Prisoner for Hearing as aforesaid : Provided always, that if it shall at any Time appear to the said Court that it is expedient that the Duplicates of the Petitions and Schedules of Prisoners confined in the Gaol of any City, Borough, Town or Place at which the Commissioners of the said Court shall give Attendance on their Circuits so made as aforesaid, should be lodged with the Town Clerk or other Officer of such City, Borough, Town or Place, and that the Duties hereinbefore required of such Clerk of the Peace should be performed at such City, Borough, Town or Place by such Town Clerk or other Officer of the same, it shall be lawful for the said Court in any such Case to order that the Duplicates of the Petitions and Schedules last aforesaid, and all such Books, Papers and Writings as aforesaid, shall be lodged with such Town Clerk or other Officer, instead of such Clerk of the Peace as aforesaid, and that all Duties hereinbefore required of such Clerk of the Peace in respect of the same shall be performed by such Town Clerk or other Officer, instead of such Clerk of the Peace, and that the said Town Clerk or other Officer shall thereupon do and perform all the Duties aforesaid at such City, Borough, Town or Place, in the Matters of all Prisoners confined in the Gaol thereof, and shall be entitled to receive the same Fees and Payments in respect thereof as are herein directed to be paid and made to such Clerk of the Peace or his Deputy as aforesaid.

Fees.

Power of Jus-
tices to compel
Attendance of
Witnesses.

LXXVIII. And it is hereby enacted, That such Justices as aforesaid shall have such and the same Powers of compelling the Attendance of Witnesses, and of requiring and compelling the Production of Books, Papers and Writings for the Purposes of this Act, as are hereinbefore given to the said Court and the Commissioners thereof, subject to such Provisoes and Limitations as the same are made subject to ; and that in all Cases where the Duplicate of any Petition and Schedule shall have been so lodged as aforesaid with any such Clerk of the Peace or his Deputy as aforesaid, or with such Town Clerk or other Officer as aforesaid, such Clerk of the Peace or his said Deputy, or such Town Clerk or other Officer, is hereby authorized to issue all Subpœnas under this Act as may be requisite, in each of which the Names of not more than Four Persons shall be inserted, and to receive for such Subpœna from the Person requiring the same the Sum of Two Shillings and Sixpence, and no more.

Clerk of the
Peace may is-
sue Subpœnas.

Fee.

Examiners to
be appointed
for Counties.

LXXIX. And be it further enacted, That the said Court in all Cases, or any Commissioner thereof on his Circuit, or such Justices as aforesaid in open Court at such Sessions as aforesaid respectively, may from time to time, as Occasion shall require, appoint as many fit Persons as shall be requisite, to be Examiners for the Purposes of this Act, within any County, or County of a City or Town, or any Riding or Division of any County within the Circuit of such Commissioner, and within the County or other Place for which such Sessions as aforesaid shall be holden ; and that such Examiner shall and may receive for his Trouble the Sum of One Pound, and no more, for every Meeting held by him
in

Fees.

in pursuance of this Act, to be paid by the Person or Persons requiring the same.

LXXX. And be it further enacted, That the Keepers of the several Prisons in *London and Middlesex*, and of the Prisons of the King's Bench, Marshalsea, *Horsemonger Lane* and of the Borough of *Southwark*, shall be entitled to receive the Sum of Three Shillings, and no more, from every Prisoner in the Custody of such Keepers respectively, for carrying him or her before the said Court on the Hearing of the Matters of his or her Petition and Schedule as aforesaid; and that all Keepers of Prisons shall be entitled to receive the Sum of One Shilling and Sixpence, and no more, from every Prisoner in the Custody of such Keepers respectively, for carrying him or her before a Commissioner of the said Court on his Circuit, or before such Justices as aforesaid at their Sessions aforesaid, on the Hearing of the Matters of the Petition and Schedule of such Prisoner; and that the Expence of conveying any Prisoner to any Assize or other Town appointed as the Place of Hearing the Matters of his or her Petition as aforesaid, in every Case where the Gaol in which such Prisoner shall be confined shall not be situate within such Assize or other Town, not exceeding One Shilling a Mile, shall be paid to the Keeper or Gaoler, or other Officer, who shall bring such Prisoner to such Assize or other Town, in obedience to the Order of the said Court, out of the Estate and Effects of such Prisoner, if the same shall be sufficient to pay such Expence, and if not, then such Expence shall be paid by the Treasurer of the County, or County of a City or Town, in which such Prisoner shall be imprisoned, as the same shall be directed or ordered by the Commissioner or Justices before whom such Prisoner shall be so brought in pursuance of such Order; and in all such Cases the reasonable Expence of such Clerk of the Peace or his Deputy as aforesaid, and of such proper Officers, to preserve Order, as hereinbefore mentioned, and all other Expences necessary for making ready such Court House or other Place as aforesaid for the Dispatch of Business in pursuance of this Act, shall be paid by such Treasurer as aforesaid, and the Justices of the Peace of every such County, or County of a City or Town, are hereby empowered and required to order such Treasurer to pay the same at their General or General Quarter Sessions next ensuing the Day when such Hearing shall have taken place: Provided nevertheless, that where the Duties at any City, Borough, Town or Place, shall be performed by any Town Clerk or other Officer, in pursuance of such Order of the said Court as above mentioned in that Behalf, the reasonable Expences of such Town Clerk or other Officer, and of such proper Officers as aforesaid, and of such Court House or other Place as aforesaid, shall be defrayed by the said City, Borough, Town or Place, in the same Manner as such like Expences are defrayed therein upon other Occasions.

LXXXI. And be it further enacted, That every Sheriff, Gaoler, Keeper or other Officer of any Prison, who shall do any Thing in obedience to any Order of the said Court, or of any Commissioner thereof, or of any Justice or Justices of the Peace, Officer of the said Court, or such Examiner as aforesaid, authorized by the said Court, by virtue of this Act, shall be and is and are hereby indemnified

Fee to Keepers of Prisons herein mentioned for carrying each Prisoner before the Court;

for paying the Expence of conveying Prisoners to Assize Towns;

as also the other Expences in pursuance of this Act.

Proviso for Expences of Town Clerks and other Officers.

Sheriff, &c. indemnified for obeying Orders of Court.

If Action for
Escape, &c.
General Issue
may be plead-
ed, &c.

Treble Costs.

What deemed
sufficient to be
set forth in
Rules and
Proceedings of
Court.

Before whom
Affidavits are
to be sworn.

Recovery of
Costs.

demnified for whatsoever shall be done by them respectively in obedience thereto; and that if any Action of Escape, or any Suit or Action, be brought against any Judge, Commissioner, Justice of the Peace, Sheriff, Gaoler, Keeper of any Prison or any Person, for performing the Duty of his Office, in pursuance of this Act, such Judge, Commissioner, Justice of the Peace, Sheriff, Gaoler, Keeper of Prison and other Person, may plead the General Issue, and give this Act and the Special Matter in Evidence; and if the Plaintiff be nonsuited, or discontinue his or her Action, or a Verdict shall pass against him or her, or Judgment shall be had for the Defendant upon Demurrer, the Defendant shall have Treble Costs.

LXXXII. And be it further enacted, That in all Rules, Orders, Warrants and other Proceedings of the said Court, or of any Commissioner thereof under this Act, it shall be sufficient to set forth such Rule, Order or Warrant, or in case of a Warrant for the Apprehension or Detention of any Person for a Contempt, in disobeying any Order or Rule of the said Court, or for the Apprehension or Detention of any Person for the Appearance of such Person before the said Court, or any Commissioner thereof, or any Justice or Justices of the Peace, according to this Act, or for the enforcing any Rule or Order of the said Court, it shall be sufficient to set forth such Rule or Order, and the Warrant thereon, and that the Insolvent, in any Order, Rule, Warrant or other Proceeding mentioned, has been duly discharged under this Act, or some other Act for the Relief of Insolvent Debtors, if he or she has been so discharged, or if he or she has not been so discharged, that he or she has applied by Petition to the said Court for his or her Discharge from Custody, according to the Provisions of this Act, without setting forth in any such Order, Rule, Warrant or other Proceeding, the Petition, Conveyance or Assignment to the Provisional Assignee, Appointment of Assignee or Assignees, or any Conveyance or Assignment whatever, or the Schedule, Balance Sheet, Order for Hearing, Adjudication, Order for Discharge or any other Rule, Order or Proceeding of or in the said Court, or any Part thereof, except as aforesaid.

LXXXIII. And be it further enacted, That all Affidavits to be used before the said Court, or any Commissioner thereof, or any Justices of the Peace, or any Officer of the said Court, or any Examiner appointed as aforesaid under this Act, shall and may be sworn before the said Court, or any Commissioner thereof, or any Commissioner appointed by the said Court for the Purpose of taking Affidavits, or any Master Extraordinary in Chancery, or Commissioner for taking Affidavits in any of the superior Courts of *Westminster*, or in *Scotland* or *Ireland* before a Magistrate of the County, City, Town or Place where any such Affidavit shall be sworn.

LXXXIV. And be it further enacted, That in all Cases in which the said Court, or any Commissioner thereof, or any Justices, is or are by this Act authorized to award Costs against any Person or Persons, it shall and may be lawful for the said Court to cause such Costs to be recovered from such Person or Persons in the same Manner as Costs awarded by a Rule of any of the superior Courts at *Westminster* may be recovered.

LXXXV. And

LXXXV. And be it further enacted, That the said Court shall and may admit, at their Discretion, any Number of fit Persons, being Attornies of any of the superior Courts at *Westminster*, to practise in the said Court as Attornies on behalf of such Prisoners in such actual Custody as aforesaid, which Admissions shall in all Cases be made without the Payment of any Fee or Gratuity whatsoever, and shall be filed of Record in the said Court; and that in Case any Person not so admitted on the Files of the said Court, or having after such Admission been removed from the said Files, or ceased to be an Attorney of any of the superior Courts at *Westminster*, shall practise in the said Court as an Attorney on behalf of any Prisoner in such actual Custody as aforesaid, he shall be deemed and taken to be guilty of a Contempt of the said Court, and that every Person so guilty of any such Contempt as aforesaid shall be liable to Fine as well as Imprisonment for the same.

Court to admit Attornies to practise therein.

Persons not duly appointed, practising as Attornies, guilty of Contempt.

LXXXVI. And be it further enacted, That the Sum of Three Shillings and no more shall be paid to any Printer or Proprietor of any Newspaper for the Insertion of any Advertisement by this Act directed to be inserted in any Newspaper; and all Printers and Proprietors of Newspapers are hereby required to insert the same on Payment of the said Sum of Three Shillings for the Insertion thereof, in such Form as the said Court or any Commissioner thereof shall from time to time direct.

What shall be paid for Insertion of Advertisements.

LXXXVII. And be it further enacted, That no Conveyance, Assignment, Letter of Attorney, Affidavit, Certificate or other Proceeding, Instrument or Writing whatsoever, before or under any Order of the said Court, or before or under any Order of any Commissioner thereof, or before any Justice or Justices of the Peace acting in the Execution of this Act, nor any Copy thereof, nor any Advertisement inserted in any Newspaper by the Direction of the said Court, relating to Matters within the Jurisdiction of the said Court, shall be liable to or chargeable or charged with the Payment of any Stamp or other Duty whatsoever; and that no Sale of any Real or Personal Estate of any such Prisoner as aforesaid, for the Benefit of his or her Creditors under this Act, shall be liable to any Auction Duty.

Proceedings not liable to Stamp Duty; nor Sales to Auction Duty.

LXXXVIII. And Whereas it may happen that Money may remain in the said Court, produced by the Estates and Effects of Insolvent Debtors, who have taken the Benefit of this or some other Act for the Relief of Insolvent Debtors, which has not been or may not be claimed by the Assignees or Creditors of such Insolvents; Be it further enacted, That it shall and may be lawful for the said Court to cause the same or any Part thereof to be invested in Government Securities, and to apply the Interest and Profit arising therefrom towards defraying the Expences of the said Court: Provided always, that no such Money shall be so invested until the same shall have been in the Hands of the said Court for Twelve Months at the least.

Court may invest unclaimed Money, and apply Profit towards Expences of the Court.

LXXXIX. And be it further enacted, That all the Records, Papers, Documents and Money, of and belonging to or received under the Authority of the said Court, now established for the Relief of Insolvent Debtors, and hereby continued as aforesaid, shall, from and after the passing of this Act, remain and continue in the Custody of the Officers of the said Court now duly having the

Preservation of Records of Court.

the Custody of the same respectively, or of such Officer or Officers as the said Court shall at any Time direct to receive the same, and that the said Records shall be deemed and taken to be the Records of the said Court so hereby continued as aforesaid.

Court may permit, for a limited Time, Petitions to be filed.

XC. And Whereas it is expedient that Persons imprisoned for Debt, who may desire to petition the said Court at or soon after the Time of the passing of this Act, should not be delayed in such petitioning by the passing thereof; Be it enacted, That it shall and may be lawful for the said Court, for a certain Time after the passing of this Act, to be limited by Rule of the said Court, to permit the Petitions and Schedules of such Persons to be filed, and the Conveyances and Assignments of such Persons to be executed, in such Forms respectively as are now used in the said Court, and not in the Forms prescribed by this Act: Provided nevertheless, that all other Things shall be done and shall take effect in the Matters of such Petitions according to the Provisions in this Act contained, except as aforesaid.

as herein mentioned.

Continuance of Act.

XCI. And be it further enacted, That this Act shall continue in force until the First Day of *June* One thousand eight hundred and twenty nine, and from thence until the End of the then next Session of Parliament.

FORM of Conveyance and Assignment.

THIS Indenture, made the Day of
in the Year of our Lord between

an Insolvent Debtor, now a Prisoner in the Pro-
of the one Part; and visional Assignee of the Estates and Effects of Insolvent Debtors
in *England*, pursuant to an Act of Parliament passed in the
Seventh Year of the Reign of King *George* the Fourth, in that
Behalf, of the other Part: Whereas the said
hath this Day subscribed his [or her] Petition to the Court for the
Relief of Insolvent Debtors, praying for his [or her] Discharge by
virtue of the said Act; now this Indenture witnesseth, that in
obedience to the said Act he [or she] the said

hath conveyed, assigned, transferred and set over, and
by these Presents doth convey, assign, transfer and set over, unto
the said as such Provisional Assignee as
aforesaid, his Successors and Assigns, all the Estate, Right, Title,
Interest and Trust of the said in and to all
the Real and Personal Estate and Effects of the said

both within this Realm and abroad, in Possession, Rever-
sion, Remainder or Expectancy, except the Wearing Apparel,
Bedding and other such Necessaries of the said
and his [or her] Family, and the Working Tools and Implements
of the said

not exceeding in the whole
the Value of Twenty Pounds, together with all Deeds, Evidences
and Writings touching and concerning the said Estate and Effects,
and every Part thereof, and all future Estate, Right, Title, Interest
and Trust of the said in and to all Real

and Personal Estate and Effects within this Realm and abroad,
which the said shall purchase, or which
shall revert, descend, be devised, bequeathed or come to him
[or her] in Possession, Reversion, Remainder, or Expectancy,
before

before he [or she] shall become entitled to his [or her] final Discharge in pursuance of the said Act ; or in case the said

shall obtain his [or her] Discharge from Custody, without any Adjudication being made in the Matter of his [or her] Petition, then before he [or she] shall be at large and out of Custody, together with all Deeds, Evidences and Writings touching and concerning the same and every Part thereof, and all Debts due or growing due to the said

or to be due to him [or her] before he [or she] shall become so entitled or be so out of Custody as aforesaid ; to have and to hold, receive and take all and every the said Estate and Effects of the said

Real and Personal, in Possession, Reversion, Remainder or Expectancy, of every Nature and Kind whatsoever, except as aforesaid ; and all and every the said Estate and Effects which shall be so purchased by the said

or which shall so revert, descend, be devised, bequeathed or come to him [or her] as aforesaid, in Possession, Reversion, Remainder or Expectancy, of every Nature and Kind whatsoever, conveyed, assigned, transferred and set over, or mentioned, or intended, or directed by the said Act to be hereby conveyed, assigned, transferred or set over, with their and every of their Rights, Members and Appurtenances, unto the said

his Successors and Assigns, according to the respective Natures, Properties and Tenures thereof, in trust nevertheless to and for the Use, Benefit and Advantage of the Creditors of the said

who shall be entitled to share in a Dividend of the said Estate and Effects, under the Provisions of the said Act, and to and for such other Uses, Intents and Purposes, and in such Manner and Form as are in and by the said Act expressed of and concerning the same, as by the said Act, Reference being thereunto had, will more fully appear : Provided always, and these Presents are upon this express Condition, nevertheless, that in case the Petition of the said

shall be dismissed by the said Court, then these Presents, and the Conveyance and Assignment herein before made as aforesaid, shall, from and after the Dismission of such Petition, be null and void to all Intents and Purposes, any Thing herein contained to the contrary thereof in anywise notwithstanding. In witness whereof the said Parties have hereunto set their Hands and Seals, the Day and Year above written.

Signed, sealed and delivered by the
above named
in the Presence of

Signed, sealed and delivered by the
above named
in the Presence of

C A P. LVIII.

An Act to amend the Laws relating to Corps of Yeomanry Cavalry and Volunteers in *Great Britain*.

[26th May 1826.]

44 G. 3. c. 54.

56 G. 3. c. 39.

in part repealed.

‘ WHEREAS it is expedient that Provision should be made for the better Regulation of the Returns, and for the Payment of sundry Expences and Allowances for carrying into Execution the Provisions of an Act passed in the Forty fourth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act to consolidate and amend the Provisions of the several Acts relating to Corps of Yeomanry and Volunteers in Great Britain, and to make further Regulations relating thereto*; and also for carrying into Execution the Provisions of an Act passed in the Fifty sixth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act to reduce the Number of Days of Muster or Exercise of Yeomanry and Volunteer Cavalry*; and for transferring the Payment of the said Allowances to the Secretary at War; Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act so much of the said recited Acts as relates to the Periods for the Transmission of Certificates and Returns shall be and the same is hereby repealed.

‘ II. And Whereas by the said recited Act it is provided that all Officers commanding Corps of Yeomanry and Volunteers, on the First Days of *April, August and December* respectively, in every Year, or within Fourteen Days after such Days, shall transmit Returns and Certificates to the Clerks of the General Meetings of Lieutenancy, in the Forms in the Schedules to the said Act annexed, marked (A) and (B); and also at the same Periods shall transmit to His Majesty’s Principal Secretary of State and to the General Officer commanding the District (when any such shall be appointed) accurate Returns of their respective Corps, specifying the Numbers of the effective and noneffective Men in their Corps at the Time of making such Returns: And Whereas it is expedient that such Certificates and Returns should be transmitted once only in each Year instead of Three Times: Be it enacted, That from and after the passing of this Act all Officers commanding Corps of Yeomanry and Volunteers shall transmit the Certificates and Returns aforesaid to the Clerks of General Meetings of Lieutenancy, and to His Majesty’s Principal Secretary of State, and to the General Officer commanding the District respectively, on the First Day of *August* in every Year, or within Fourteen Days after that Date, instead of at the Times aforesaid.

Certificates and Returns to be sent to Clerks of Lieutenancy every Year.

To what Persons Clerks of General Meetings to transmit Extracts from Returns and

III. And be it further enacted, That the Clerks of the General Meetings of the several Counties in *Great Britain* shall, on or before the First Day of *August* in every Year, after they shall receive such Certificates and Returns as aforesaid, transmit to the Clerks of the Subdivision Meetings Extracts therefrom, containing

ing the Names of the Persons in each Subdivision returned therein as effective Members, and shall also on the said First Day of *August* in every Year transmit to His Majesty's Principal Secretary of State and to His Majesty's Secretary at War, Abstracts in the Form to this Act annexed, marked (A), of the several Muster Rolls sent to them respectively, under the Provisions of this Act and of the said recited Acts.

Abstract of
Muster Rolls.

IV. And Whereas by the said recited Act it is provided, that when any Corps of Yeomanry or Volunteers shall have assembled on any Summons of any Lieutenant of the County in which they shall be respectively formed, or of his Vice Lieutenant or Deputy Lieutenants, or upon the making any Signal of Alarm, or shall have assembled voluntarily to do Military Duty upon any Appearance of Invasion, or for the Purpose of improving themselves in Military Discipline, certain Sums shall be issued by the Receivers General of the Taxes for the County if in *England*, and by the Collectors of the Cess if in *Scotland*, to the Captain or other Officer commanding the Troops or Companies of such Corps: And Whereas it is expedient that a different Provision should be made for the Issue of such Sums; Be it therefore enacted, That so much of the said Act as directs that such Sums shall be issued by the Receivers General of the Taxes, and by the Collectors of the Cess as aforesaid, shall be and the same is hereby repealed; and that from and after the passing of this Act such Sums shall be issued to the Captain or other Officer commanding such Troops or Companies by the Secretary at War.

44 G. 3. c. 54.

in part repealed; and Sums therein mentioned issued by Secretary at War.

V. And be it further enacted, That the respective Clerks to the General Meetings of Lieutenancy, and the Clerks to Subdivision Meetings of Lieutenancy in *Great Britain*, shall receive from and after the passing of this Act, for their Pains and Trouble in and about the Execution of the several Provisions contained in the said recited Act, and of any other Act relating to Yeomanry and Volunteers of *Great Britain*, the several Sums specified in the Table to this Act annexed, marked (B); and the Secretary at War is hereby directed and empowered to issue the same to the Clerks of General and Subdivision Meetings, according to the Allowances therein enumerated; and the said Clerks of General and Subdivision Meetings shall transmit to the Secretary at War the Accounts, Returns and Orders, upon which they claim the aforesaid Allowances, in order that the Secretary at War may give the necessary Directions for the Payment thereof.

Clerks of General and Subdivision Meetings to receive Remuneration for Trouble in executing this Act.

SCHEDULE (A).

ABSTRACT of Muster Rolls to be transmitted by Clerks to General Meetings of Counties to His Majesty's Principal Secretary of State, and to His Majesty's Secretary at War.

Abstract of Muster Rolls of the Corps and Companies of Yeomanry and Volunteers, within the County of _____ received by His Majesty's Lieutenant for the same, between the _____ Day of _____ and the _____ Day of _____.

Names and Description of Corps, Troops and Companies.	Number of Persons borne upon the Establishment of each Corps, Troop or Company.	Number of Persons enrolled, and serving therein.	Number of Persons exempt from serving in the Militia.	Number of Persons not exempt.	When inspected, and if willing to be so.
Total - - -					

Dated at _____ this _____ Day of _____ } Clerk to the General Meetings.

TABLE

TABLE (B) to which this Act refers.

SCALE OF RATES of Remuneration to the Clerks of General and Subdivision Meetings of Lieutenancy in the several Counties in Great Britain, including the Stannaries of Cornwall and Devon, for carrying into Execution the Laws relating to Yeomanry Cavalry and Volunteers.

ALLOWANCES TO THE CLERKS OF GENERAL MEETINGS.				
		£	s.	d.
1. For attending a General Meeting for the Transaction of Business connected with the Laws relating to Yeomanry and Volunteers, at which the statutory Quorum of Lieutenancy shall be present, - - - each		5	5	0
For attending a Meeting which shall be necessarily adjourned by the Clerk, in consequence of the Absence of the Lieutenancy, - each		1	11	6
2. For making out Extracts from the Muster Rolls of Corps, Troops or Companies of Yeomanry Cavalry and Volunteers, for the Use of the Deputy Lieutenants of Subdivision Meetings; videlicet,				
To the Clerk of a County where the total Number of Men borne upon the Establishment of all the Corps, Troops or Companies, taken collectively, amounts to 200 Men and under - - -		2	0	0
from 201 Men to 400 Men - - -		3	0	0
from 401 Men to 600 Men - - -		4	0	0
from 601 Men to 800 Men - - -		5	0	0
from 801 Men to 1,000 Men - - -		6	0	0
from 1,001 Men and upwards - - -		7	0	0
3. For revising, making and returning the Annual Abstracts of Muster Rolls of Corps, Troops or Companies of Yeomanry Cavalry and Volunteers, according to the Form in Schedule D. † to His Majesty's Principal Secretary of State, and to His Majesty's Secretary at War; the Schedule for the latter to be annexed to the Clerk's Account, in support of the Charge; videlicet,				
To the Clerk of a County where the total Number of Men borne upon the Establishment of all the Corps, Troops or Companies taken collectively, is 200 Men and under		1	0	0
from 201 Men to 400 Men - - -		2	0	0
from 401 Men to 600 Men - - -		3	0	0
from 601 Men to 800 Men - - -		4	0	0
from 801 Men to 1,000 Men - - -		5	0	0
from 1,001 Men and upwards - - -		6	0	0
4. For Correspondence (no extra Charge being made for preparing Drafts) and Copyings:				
To the Clerk of a County where the total Number of Men borne upon the Establish-				

† See.

	£	s.	d.
ment of all the Corps, Troops or Companies of Yeomanry or Volunteers taken collectively, amounts to 200 Men and under	2	0	0
from 201 Men to 400 Men - -	3	0	0
from 401 Men to 600 Men - -	4	0	0
from 601 Men to 800 Men - -	5	0	0
from 801 Men to 1,000 Men - -	6	0	0
from 1,001 Men and upwards - -	7	0	0
5. For drawing out the Order of the Lord Lieutenant of the County, or of the Deputy Lieutenants for assembling the Corps, Troops or Companies of Yeomanry Cavalry or Volunteers for Exercise, - - - each Order	0	2	6
6. For drawing out the Order of the Lord Lieutenant or of the Deputy Lieutenants upon the Magistrates for providing Corps, Troops or Companies of Yeomanry Cavalry or Volunteers with Billets when assembled for Exercise, - - - each Order	0	2	6
ALLOWANCES TO CLERKS OF SUBDIVISION MEETINGS.			
7. For engrossing in a Book the Names contained in the Extracts from the Muster Rolls of Corps, Troops or Companies of Yeomanry Cavalry or Volunteers, transmitted by the Clerk of General Meetings to the Deputy Lieutenants of Subdivisions; videlicet,			
For engrossing 50 Names and under -	0	5	0
from 51 Names to 150 Names - -	0	10	0
from 151 Names to 250 Names - -	1	0	0
from 251 Names and upwards - -	1	10	0

ALLOWANCES applicable to the Clerks of General and Subdivision Meetings of Lieutenancy.

8. When it is necessary to send a Clerk of General Meetings or a Clerk of Subdivision Meetings of Lieutenancy to a Distance for the Performance of any Duty under the Laws relating to Yeomanry or Volunteers, such Clerk shall have an Allowance for his travelling Expences at the Rate of Nine Pence per Mile, and the actual Expence incurred for Tolls and Ferries; but the whole of such Expences shall be certified by the Lieutenancy, and reported to the Secretary at War for special Consideration, before the same shall become a Charge in the Clerk's Account.
9. The Amount actually expended for Stationery, Postage and Carriage of Letters and Parcels, and for Messengers, will be allowed upon an Account specifying each Article of Postage certified by the Lieutenancy, whose Certificate shall state that the same was necessary, and actually performed.

The Charge for Stationery to be supported by the Bills and Receipts of the Person to whom paid.

GENERAL

GENERAL INSTRUCTIONS applicable to Accounts.

10. The Accounts of the Clerks of General and Subdivision Meetings of Lieutenancy in Great Britain, including the Stanaries of Cornwall and Devon, of Duties performed under the Law relating to Yeomanry and Volunteers, are to be transmitted to the Secretary at War; the Accounts of the Clerks in England and Wales not earlier than the Tenth of October, and the Accounts of the Clerks in Scotland not earlier than the First of November in each Year, nor later than the Twenty fourth of December in each Year in either Case.
11. The Accounts of the Clerks of General and Subdivision Meetings of Counties in England and Wales are to embrace a Period from the Tenth of October in one Year to the Ninth of October in the following Year, and in Scotland from the First of November in one Year to the Thirty first of October in the following Year; and such Accounts shall be certified by not less than the statutory Number forming the Quorum of Lieutenancy when assembled at a General Subdivision Meeting; and the said Clerks shall make Oath to the Justness of such Accounts in the Form hereunto annexed.

FORM OF OATH.

I (Clerk of General or Subdivision Meetings of Lieutenancy for the) do hereby solemnly certify and swear, That the preceding is a just and true Account of Business performed by me, for and in behalf of the Public Service, according to the Manner therein set forth; and that the Sums claimed as disbursed by me were well and truly paid out: And this is Truth, ' So help me GOD.'

Sworn at before : }
 ' this Day of : }

C A P. LIX.

An Act to continue for Seven Years, and from thence to the End of the then next Session of Parliament, an Act of the Fifty ninth Year of His late Majesty, for facilitating the Recovery of the Wages of Seamen in the Merchant Service.

[26th May 1826.]

WHEREAS an Act was passed in the Fifty ninth Year of His late Majesty, intituled *An Act for facilitating the Recovery of the Wages of Seamen in the Merchant Service*; which Act was to continue for Seven Years from the Second Day of July One thousand eight hundred and nineteen: And Whereas it is expedient that the said Act should be continued for a further Term; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act of the Fifty ninth Year of His late Majesty, for facilitating the Recovery of the Wages of Seamen in the Merchant Service, shall be and the same is hereby further continued for Seven Years, and from thence to the End of the then next Session of Parliament.

59 G.3. c.58.

continued.

C A P. LX.

An Act to prevent the wilful and malicious Destruction of Dwelling Houses in *Ireland*. [26th May 1826.]

‘ WHEREAS divers ill designing and disorderly Persons in *Ireland* have of late wilfully and maliciously committed great Waste and Destruction, by pulling down and demolishing Dwelling Houses and other Buildings whereof they have obtained Possession by virtue or under colour of the Title of some sufficient legal Tenant or Tenants for Lives, with or without a Covenant for Renewal, or for Years, or other less Term, or at Will, or by Power under or by Collusion with such Tenant or Tenants, or some Occupier or Occupiers thereof, and have converted and disposed to their own Use of the Materials, Fixtures and other Effects arising from or being within or appurtenant to such Houses and other Buildings, or used and occupied therewith, to the great Damage of His Majesty’s Subjects, being Lessors or Owners of such Houses, Buildings and other Property, or otherwise entitled thereto, or interested in the Preservation thereof: And Whereas the Remedy by Suit in His Majesty’s Courts of Equity to prevent the Commission of such Waste and Destruction is found to be insufficient for the Prevention thereof, by reason that the same may be committed before it is possible to restrain the Offenders by any equitable Injunction which might be decreed for that Purpose: And Whereas such Waste and Destruction, if once committed, is irreparable, by reason that the Persons so offending are generally Persons in embarrassed or insolvent Circumstances; and inasmuch as Doubts have arisen whether, in case such Possession as aforesaid hath been obtained by Consent of the Person or Persons entitled to deliver the same, the Parties offending can be convicted of any Misdemeanor by any Law now in force within this Realm: And Whereas it is expedient that such Doubts be removed, and some more effectual Remedy provided than by Law now exists, for the Preservation from Waste and Destruction of Dwelling Houses and other Buildings let to Tenants, and for securing to Landlords and others their just Rights in respect of such Dwelling Houses and other Buildings, Fixtures and Effects within or appurtenant to the same, or used and occupied therewith: Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act all and every Person and Persons who, under Pretence of becoming *bonâ fide* Tenant or Tenants of any Dwelling House or other Building, or by Power under or Collusion with any Person or Persons having or claiming to have Title thereto as Tenant or Tenants for the Term of any Life or Lives, with or without any Covenant for Renewal, or for Years, or other less Term, certain or at Will, shall obtain and get Possession of any Dwelling House or other Building, for the fraudulent and malicious Purpose of pulling down or demolishing the same, or of doing other unlawful Waste or Destruction, or who being possessed of any such Dwelling House or other Building, or Part of such Dwelling House or other

Persons obtaining Possession of Houses for the Purpose of demolishing them, or being possessed, shall demolish or waste them, guilty of Misdemeanor.

other Building, shall pull down or demolish or begin to pull down or demolish the same, or shall commit any other unlawful Waste or Destruction thereof or thereto, or shall pull down or sever from the Freehold any Fixture or Utensil being within or appurtenant to such Dwelling House or other Building, or such Part of such Dwelling House or other Buildings, or used or occupied therewith, or which, in a due Course of Occupancy, ought not to be so pulled down or severed from the Freehold, shall be deemed and are hereby declared to be guilty of a Misdemeanor, and shall be subject and liable, on Conviction thereof, to the like Pains and Penalties as on Cases of Misdemeanor.

II. And be it further enacted, That every Person who shall wilfully and fraudulently aid, abet or assist in the obtaining Possession of any Dwelling House or other Building, or of any Part of any Dwelling House or other Building, for the fraudulent and malicious Purpose of pulling down and demolishing the same, or of committing any other wilful and unlawful Waste or Destruction thereof or therein, or who knowing that the Possession of any Dwelling House or other Building, or of any Part of any such Dwelling House or other Building, hath been obtained for any such fraudulent and malicious Purpose, shall wilfully and fraudulently aid and abet or assist in pulling down or demolishing the same, or in committing any other wilful and unlawful Waste or Destruction thereof or therein, or shall aid, abet or assist in the pulling down or severing from the Freehold any Fixture or Utensil, being within or appurtenant to any such Dwelling House or other Building, or to any Part of such Dwelling House or other Building, or used and occupied therewith, and which, in due Course of Occupancy, ought not to be so pulled down or severed from the Freehold, or who shall purchase or contract to purchase the Materials, or any Part of the Materials of which such Dwelling House or other Building, or any Part of such Dwelling House or other Building, was constructed, or any Fixture or Utensil being within or appurtenant to any such Dwelling House or other Building, or Part of such Dwelling House or other Building, or used and occupied therewith, and which, in due Course of Occupancy, ought not to be pulled down and severed from the Freehold, shall in like Manner be deemed and is hereby declared to be guilty of a Misdemeanor, and shall be subject and liable to the same or like Pains and Penalties, as Persons convicted as Principals as aforesaid would be liable to under the Provisions of this Act, as well before as after the Trial or Conviction of the principal Person guilty of such Misdemeanor, and whether any Person or Persons liable to be tried as Principal or Principals shall have been apprehended or shall be amenable to Justice or not.

III. And be it further enacted, That from and after the passing of this Act, in all Cases where any Dwelling House or other Building, or any Part of any Dwelling House or other Building, shall be held by virtue of any Lease or Agreement, or for any Term of Years or other less Term, certain or at Will, whether the Possession of such Dwelling House or other Building, or any Part of such Dwelling House or other Building, shall have been obtained by Fraud or not, whenever it shall be suspected that any Person or Persons is or are about to pull down or demolish, or

Punishment.
Abettors, &c.
of such Proceedings also
guilty of
Misdemeanor.

Punishment.

When Suspicion is entertained of Intent to demolish or injure Houses, Owners, &c. may make Oath thereof before a Magistrate.

Affirmation by
Quakers.

† *Sic.*

Magistrate to
give Notice
to Parties not
to proceed
without Licence
of such Magis-
trate.

Service of such
Notice.

to commit any unlawful Waste or Destruction upon such Dwelling House or other Building, or Part of such Dwelling House or other Building, it shall and may be lawful to and for any Owner, Lessor or Landlord thereof, or any other Person or Persons entitled to the same, or interested in the Preservation thereof, or for any Trustee or Agent acting upon the Part or Behalf of any Lessor so interested, to make and take an Oath or Affidavit in Writing (or Affirmation in Writing, if a Quaker,) before any neighbouring Magistrate if in the Country, or before a legal or chartered Magistrate if within a Town, City or other separate Jurisdiction, or before a Magistrate of the Head Office of Police if in the City of *Dublin*, stating the Belief and Suspicion of the Persons making such Affidavit or Affirmation, that some Person or Persons in the Possession or Occupation of such Dwelling House or other Building, or at some Part of such Dwelling House or other Building, or by the Permission or Collusion of some Person in the Occupation of such Dwelling House or other Building, or of some Part of such Dwelling House or other Building, hath or have an Intention to commit, or do propose to commit, some such wilful or fraudulent Waste and Destruction as is hereinbefore described, or if any such Waste or Destruction shall have been commenced, then that the same was fraudulent or malicious, and not for the Purpose of any intended Improvement or beneficial Alteration in such Dwelling House or other Building, or Part of such Dwelling House or other Building, and which Oath and Affirmation such Magistrate, or legal or chartered Justice† or Police Magistrate, (as the Case may be,) is and are hereby empowered and required to administer; and upon such Affidavit or Affirmation being made by such Person or Persons as aforesaid, it shall and may be lawful for such Justice of the Peace or legal or chartered Magistrate, or such Police Magistrate as aforesaid, to issue a Notice in Writing, signed by such Justices of the Peace, chartered Magistrate or Police Magistrate, before whom such Affidavit or Affirmation shall be made, stating that Information on Oath or Affirmation had been received, that some Person or Persons, Occupiers of such Dwelling House or other Building, or acting under or by the Authority or Permission of and in Collusion with such Occupiers of such Dwelling House or other Building, or any Part of such Dwelling House or other Building, do intend and are about to commit wilful and fraudulent Waste, by pulling down and destroying such Dwelling House or other Building, or any Part of such Dwelling House or other Building, and cautioning and admonishing all such Persons, and all Persons whomsoever, not to proceed to pull down or destroy or otherwise injure such Dwelling House or other Building, or any Part of such Dwelling House or other Building, until special Leave, Licence and Authority for that Purpose shall be first procured from and given by the Justice of the Peace, or chartered or other Magistrate, by whom such Notice shall be signed; and such Notice so as aforesaid signed shall be served on any and every Person by whom it shall be suspected that such Waste and Destruction shall be intended to be committed, or by whom any such Waste and Destruction shall have been commenced, if such Person can be found, and if not, then such Notice shall be affixed on the principal Door or Entrance of such

such Dwelling House or other Building; and every and any Person who, after being duly served with such Notice, or after such Notice shall be posted on the principal Door or Entrance of such Dwelling House or other Building, shall, without such Leave, Licence or Authority as aforesaid, pull down or demolish, or shall begin to pull down or demolish, or shall proceed in pulling down or demolishing any such Dwelling House or other Building, or any Part of such Dwelling House or other Building, or who shall wilfully and unlawfully aid, abet or assist in the pulling down or demolishing, or beginning to pull down or demolish, or proceeding in pulling down or demolishing of any such Dwelling House or other Building, or any Part of such Dwelling House or other Building, or in committing any unlawful Waste or Destruction thereof or therein, shall be deemed and is hereby declared to be guilty of a Misdemeanor.

Persons proceeding in demolishing Houses after such Notice, guilty of Misdemeanor.

IV. And be it further enacted, That if any such Notice as aforesaid shall be personally served on any Person as aforesaid, or in case personal Service cannot be effected, if such Notice shall be regularly posted according to the Directions in this Act contained, on the Door or principal Entrance of any such Dwelling House or other Building, such Notice shall be deemed good and sufficient for the Purposes of this Act, although such Notice shall not be addressed to such Person by his or her proper Name, or by any Name whatsoever.

In what Case Notices good, though not addressed to any Person by Name.

V. And be it further enacted, That if any Person or Persons whosoever shall, after the Service or Posting of such Notice, begin to pull down and destroy, or shall proceed in pulling down or destroying, or shall otherwise wilfully and maliciously injure and commit unlawful Waste in, on or to any such Dwelling House or other Building, or any Part of such Dwelling House or other Building, or if any Person or Persons, having commenced any such Waste, pulling down or Destruction, shall not immediately desist from continuing and committing such Offence, it shall and may be lawful for any Justice of the Peace or Magistrate as aforesaid, and he is hereby authorized and required to issue his Warrant under his Hand and Seal, directed to any Constable or Constables, authorizing such Constable or Constables to prevent such pulling down and Destruction of such Dwelling House or other Building, or any Part of such Dwelling House or other Building, and to take into Custody and apprehend every Person present aiding and assisting in such pulling down and Destruction, and to bring all such Persons before such Magistrate; and it shall be lawful for such Magistrate or Justice of the Peace to commit any such Offender, so taken and apprehended, to any neighbouring Jail or Prison, there to remain without Bail or Mainprize, until such Offender shall give good and sufficient Security by Recognizance, conditioned not to commit or proceed in committing such wilful Waste and Destruction; and in case any such Waste and Destruction shall have been in part committed, then also conditioned to rebuild and repair such Dwelling House or other Building, so as to leave the same in as good tenantable Order and Condition as such Dwelling House or other Building was in previous to the Commission of such Waste and Destruction as aforesaid, and which Recognizance every such

How Persons pulling down Houses, &c. after such Notice, are to be proceeded against.

Justice of the Peace or Magistrate is hereby authorized and required to take.

Parties may proceed in repairing Houses, on giving Security to Magistrates so to do.

VI. Provided always, and be it further enacted, That in case any Tenant or Tenants, Occupier or Occupiers, of any Dwelling House or other Building, shall, on being required so to do by any such Justice of the Peace or Magistrate as aforesaid, enter into a good and sufficient Security, by Recognizance, with Two sufficient Sureties, in such Sum as such Magistrate shall require, conditioned to rebuild and repair any such Dwelling House or other Building within Six Calendar Months from the Date of such Recognizance, and to put such Dwelling House or other Building in as tenantable State of Repair, or in such the like State of Repair as the same was previous to the Commencement of any wilful Waste and Destruction thereof or therein, then and in every such Case it shall and may be lawful for such Persons so entering into such Recognizance, and their Workmen and Assistants, to proceed in making any Repair or Alterations and Improvements of or in such Dwelling House or other Building, as if this Act had not been made; any thing herein contained to the contrary notwithstanding.

Proviso for Persons seeking Relief by Bill in Chancery or Exchequer.

VII. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to interrupt or interfere with the undoubted Right that all or any Person or Persons who may feel themselves aggrieved by any Order made by any Magistrate, chartered Justice, or Police Magistrate, under the Provisions of this Act, from filing a Bill in His Majesty's High Court of Chancery or Exchequer in *Ireland*, against the Person or Persons on whose Behalf and Application such Magistrate, chartered Justice or Police Magistrate may have made any Order under the Provisions of this Act, and complaining of any Grievance or Injustice arising out of such Order, and seeking such Relief as he may require; on which it shall be lawful for the Court in which such Bill shall be filed, to make such Order or Decree, either confirming or reversing or varying such Order of such Magistrate, chartered Justice or Police Magistrate, as the Justice of the Case may require.

Proviso for former Remedies of Landlords, &c.

VIII. Provided also, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to deprive any Lessor, Landlord or other Person of any Remedy either at Law or in Equity, which before the passing of this Act such Lessor, Landlord or other Person might legally or equitably have pursued against any Person or Persons whomsoever, either for the obtaining Satisfaction for any Injury sustained by such Lessor, Landlord or other Person, or for preventing such Injury, notwithstanding the Offence by which such Injury may be occasioned shall be such as to incur the Penalty of Misdemeanor within the Meaning of this Act; but it shall and may be lawful for any Lessor, Landlord or other Person to institute and pursue all or any of such Remedies, and to receive Satisfaction thereupon, in the same Manner as if this Act had not been made; any thing in this Act contained to the contrary in anywise notwithstanding.

C A P. LXI.

An Act for the more effectual Administration of Justice in Cities, Towns Corporate and other local Jurisdictions in *Ireland*. [26th May 1826.]

WHEREAS the Number of Justices of the Peace who are empowered to act within several of the Counties of Cities, Counties of Towns and separate and local Jurisdictions other than Counties at large, in *Ireland*, is in some Cases extremely limited, and the only Persons so empowered to act are in many Cases, from Age and Infirmary, incapacitated for active Performance of Duty: And Whereas it would lead to the more effectual Administration of the Law, and to the Prevention of Crime, if the Number of Justices of the Peace were in such Cases to be increased: Now be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in every Case in which it shall be made appear to the Lord Lieutenant, Lords Justices or other Chief Governor or Governors, and Privy Council, of *Ireland*, that the Number of Justices authorized to act within such local Jurisdiction respectively is insufficient for the due Administration of the Law, and for the holding Petty Sessions therein, it shall be lawful for the Lord Lieutenant, Lords Justices or other Chief Governor or Governors of *Ireland*, with the Advice and Assent of the Privy Council to order and direct that One or more additional Justices shall be appointed within such local Jurisdiction as the Circumstances of the Case may appear to them to require; and thereupon the Lord Chancellor, Lords Commissioners or other Keeper or Keepers of the Great Seal of that Part of the United Kingdom of *Great Britain and Ireland* called *Ireland* for the Time being, and he and they are hereby empowered, by Commission under the Great Seal, to appoint such Person or Persons as he or they shall think fit, not being more in Number than those specified in such Order of the Lord Lieutenant, Lords Justices or other Chief Governor or Governors, and Council, as aforesaid, to be Justices of the Peace and Quorum, during His Majesty's Pleasure, in and throughout the said local Jurisdictions respectively; which Persons so appointed shall and may have the same Power and Authority to act and to officiate to all Intents and Purposes, and to execute the Duties of Justices of the Peace and Quorum, within the said local Jurisdictions respectively, by virtue of such Commission or Commissions, as any other Justices of the Peace, by Charter or otherwise, are or shall be authorized, appointed or empowered to act or officiate within the said local Jurisdictions respectively.

Lord Lieutenant, &c. may appoint additional Justices of the Peace in local Jurisdictions.

II. Provided always, That such Justices of the Peace and Quorum so appointed shall not, by reason of such Appointment, possess or exercise any Power or Authority within the Corporation of the said local Jurisdictions respectively, or acquire thereby any corporate Rank, Power and Authority, of what Kind or Nature soever; provided also, that no Justices shall be appointed under this Act in any City in which a Police Court shall have been established under an Act of Parliament.

Such Justices not to acquire corporate Rank, Power or Authority.

C A P. LXII.

An Act to make Provision for the uniform Valuation of Lands and Tenements in the several Baronies, Parishes and other Divisions of Counties in *Ireland*, for the Purpose of the more equally levying of the Rates and Charges upon such Baronies, Parishes and Divisions respectively.

[26th May 1826.]

WHEREAS it is expedient that Provision should be made for the more equally levying of County Cess Charges and Grand Jury Rates, upon the several Baronies, Parishes and other Divisions of Land within the several Counties in *Ireland*; and that for such Purpose an uniform Valuation should be made of such Baronies, Parishes and other Divisions, whereby the Proportion of such Charges and Rates to be borne and paid by such Baronies, Parishes and other Divisions, may be ascertained and regulated: And Whereas a general Survey of *Ireland* is now in progress, under the Direction of Officers appointed by the Master General and Board of Ordnance, and it would be advantageous that such Valuation should be proceeded upon, in the several Counties, Baronies, Parishes and Divisions, as soon as the same shall have been respectively surveyed; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whenever the Survey of any County, or of any Barony or other Division of a County, liable to be separately assessed to raise and pay any Proportion of County Cess Charges and Grand Jury Rates, shall have been made and completed by such Officers of the Ordnance as aforesaid, a Map or Plan of such Barony or other Division shall be transmitted by the Officer or Officers by whom such Survey shall have been made, or by any other Officer under the Orders of the Master General and Board of Ordnance, to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or to the Office of his or their Chief Secretary in *Dublin*, from time to time when and as any such Survey shall have been or shall be made and completed, or when and as any such Map or Plan shall be required by such Chief Secretary to be transmitted as aforesaid.

Whenever Survey of Barony, &c. is completed, a Map of Barony, &c. shall be sent to Lord Lieutenant.

Lord Lieutenant may appoint a Commissioner in each County, to value Baronies, &c. so surveyed.

II. And be it further enacted, That at any Time after the Receipt of any and every such Map or Plan, it shall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, to nominate and appoint One fit and proper Person to be Commissioner for any Counties in *Ireland*, in which any Barony or other Division shall be situate, of which such Map or Plan shall be made and delivered as aforesaid, to be called the Commissioner of Valuation for such Counties, and who shall hold such Office during the Will and Pleasure of the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, and shall repair to any such County for the Purpose of making a Valuation of every Barony, Parish or other Division in such County, of which any such Map or Plan shall have been made

made and delivered as aforesaid, and shall proceed in such Valuation, at such Times and in such Manner, and under such Regulations, as such Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, shall order, direct and appoint; and the Chief Secretary to the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, shall notify or cause to be notified in Writing to the Secretary of the Grand Jury of every such County the Appointment of every such Commissioner of Valuation, and such Secretary shall lay such Notification before the Grand Jury of such County at the next ensuing Assizes.

Such Appointment notified to Secretary of Grand Jury.

III. And be it further enacted, That at the next ensuing Assizes after the Receipt of the Notification of the Appointment of any such Commissioner of Valuation for any County (and at any and every succeeding Assizes, if need be,) the Grand Jury of such County shall nominate and appoint Committees for the several Baronies within every such County respectively, each consisting of not less than Three nor more than Five of such Grand Jurors, together with any Number of Magistrates not more than Three who shall be selected by such Grand Jury from the Magistrates resident within such Barony, each to be called a Committee of Appeal on Valuations for the Barony or Baronies to be named and appropriated to each Committee; and every such Committee shall sit and meet within the Barony or Baronies for which such Committee shall be appointed, at such Times as shall be required for the Execution of the Purposes of this Act; and such Grand Jury shall also in like Manner nominate and appoint One general Committee, to consist of not less than Seven nor more than Twelve of such Grand Jurors, to be called a Committee of Revision of Valuations for the County, and such Committee shall sit and act under the Directions of this Act: Provided always, that not more than One Member of each and every Committee of Appeal for the several Baronies within such County shall be a Member of such Committee of Revision; and that when it shall happen that any such Committee of Appeal or Committee of Revision respectively shall not have assembled, or shall not have received Notice to assemble, at any Time previous to the Assizes next ensuing such their Appointment respectively, the Grand Jury at such next ensuing Assizes shall nominate and appoint a Committee or Committees of Appeal and a Committee of Revision, as the Case shall require, either by Re-appointment of the former Members, or any of them, or by the Appointment of any other Person or Persons to be Members of such Committees respectively; and the Appointment of such Committees shall be made, and Lists thereof respectively shall be delivered by such Grand Jury to the Court, before any Presentment for any Road or Bridge shall be filed by the Judge at any such Assizes.

Grand Juries at Assizes to appoint Committees of Appeal for each Barony, and a General Committee of Revision for the County.

Number comprising such Committees.

Proviso,

Lists to be transmitted to Court.

IV. And be it further enacted, That it shall be lawful for each and every Commissioner of Valuation who shall be appointed in or for any County under this Act to nominate and appoint any Number of Persons, not less than Three nor more than Nine in Number in the Whole, who shall have been conversant and professionally employed in surveying and valuing of Land and Houses, to be Valuers for such County, and to remove all or any such Valuers from time to time, and to nominate any other Person or

Commissioner to appoint Valuers in each County.

Previous Pro-
ceedings.

Persons to be a Valuator or Valuators in the Place and Stead of the Person so removed; and previously to the Appointment of any Person to be a Valuator, such Commissioner shall, in Company with such Person, perambulate the Whole or any Part of the Barony, Parish or Division within which such Person is to act, in order fully to ascertain his Competence for acting as such Valuator.

Valuators shall
value in Parties
of Three each.

V. And be it further enacted, That the Valuation of all Lands and Tenements in every Barony, Parish or other Division of any County shall be made by separate Parties, each consisting of Three of such Valuators in Company with each other, according to an Arrangement to be made by such Commissioner of Valuation; and every such Party of Three Valuators shall and may value any such Barony or Baronies, or Parish or Parishes, or District or Districts in, or any such Part, Portion or Division of any County, Barony or Parish as shall be committed to their Charge by such Commissioner of Valuation.

Lord Lieuten-
ant may give
Orders as to
Conduct of
Commissioners
and Valuators.

VI. And be it further enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to give such Orders, Instructions and Directions for the Conduct of the said Commissioners and Valuators respectively, in the Discharge of their several Duties under this Act, as to such Lord Lieutenant or other Chief Governor or Governors shall from time to time seem fitting and expedient for the due Execution of this Act, and all such Orders shall be communicated to such Commissioners from the Office of the Chief Secretary in *Dublin*.

Rates accord-
ing to which
Valuations
shall be made
of Lands and
Houses.

VII. And be it further enacted, That the Valuation of all Lands for the Purposes of this Act shall be made with reference to certain general Average Prices of the several Articles following, and to none other; that is to say,

Wheat, at the general Average Price of Ten Shillings *per* Hundredweight of One hundred and twelve Pounds:

Oats, at the general Average Price of Six Shillings *per* Hundredweight of One hundred and twelve Pounds:

Barley, at the general Average Price of Seven Shillings *per* Hundredweight of One hundred and twelve Pounds:

Potatoes, at the general Average Price of One Shilling and Seven Pence *per* Hundredweight of One hundred and twelve Pounds:

Butter, at the general Average Price of Sixty nine Shillings *per* Hundredweight of One hundred and twelve Pounds:

Beef, at the general Average Price of Thirty three Shillings *per* Hundredweight of One hundred and twelve Pounds:

Mutton, at the general Average Price of Thirty four Shillings and Sixpence *per* Hundredweight of One hundred and twelve Pounds:

Pork, at the general Average Price of Twenty five Shillings and Sixpence *per* Hundredweight of One hundred and twelve Pounds:

And that all Houses shall be valued at the Sum or Rent for which every such House respectively could be let by the Year, deducting therefrom One Third Part of such Sum or Rent.

Commissioner
and Valuators

VIII. And be it further enacted, That for the Execution of the Purposes of this Act, it shall and may be lawful for any Commissioner

missioner and for any Valuator or Valuers appointed under this Act, and they are hereby respectively authorized and empowered, from time to time, to enter into and upon, and to go through and over any Land or Ground, or into any House of any Person or Persons whomsoever, for the Purpose of making and carrying on any Valuation authorized by this Act: Provided always, that in every Case in which it shall be necessary for any such Commissioner or Valuator to enter any House or any walled Garden or Orchard or Pleasure Ground, such Commissioner or Valuator shall give Three Days' Notice to the Occupier of such House, Garden, Orchard or Pleasure Ground of his or their Intention so to do, and that such Commissioner and Valutors shall do as little Damage as may be in the Execution of the Powers to them granted by this Act; and shall make reasonable Satisfaction (if required) to the Owners of and other Persons interested in any such Houses, Lands, Gardens, Orchards or Pleasure Grounds, which shall or may be any way hurt or damaged, for the Damage in any way sustained by them in or by the Execution of all or any of the Powers of this Act; and this Act shall be sufficient to indemnify such Commissioner and Valutors, or any Persons acting in aid or under the Orders of any of them, in the Execution of this Act, for what they or any of them shall do in respect thereof by virtue of the Powers by this Act granted to them respectively.

IX. And be it further enacted, That the Valutors who shall make any such Valuation as by this Act is required, shall enter the Particulars of the Valuation of each and every Parish which they shall value, and of each and every Townland within the same, when and as each such Valuation shall be completed, in a separate and distinct Field Book, to be appropriated to each and every such Parish respectively, and to be distinguished and entitled as the Survey and Field Book of each such particular Parish respectively, distinguishing the Barony in which such Parish shall be situate, and also distinguishing the several Townlands or other Subdivisions or Denominations of Land within such Parish, and the Value of each thereof respectively; and such Valutors shall sign every such Book with their several Names, in their several and respective Handwritings, with the Date of completing such Valuation; and such Valutors shall transmit or deliver every such Field Book of every such Parish, so signed, to the Commissioner of Valuation for the County in which every such Parish shall be situate.

X. And be it further enacted, That when and so soon as the Valuation of all the Parishes within any Barony shall be completed, the Commissioner of Valuation shall prepare and make out from such Field Books as aforesaid a List or Table of the several Parishes within such Barony, and of the Townlands or other Subdenominations or Divisions of Land within every such Parish respectively, distinguishing the Number of Acres contained in every Townland or other Subdenomination or Division of Land within such Parish, and the total Value of the Land and Houses in every such Parish respectively, according to the Survey thereof and of the Valuation thereof made in pursuance of the Directions of this Act; and such Commissioner of Valuation shall transmit a Copy of each List in the Form required by Number One in the Schedule annexed

may enter
Land, Houses,
Gardens, &c.
in Execution
of this Act.

Indemnity.

Valutors shall
enter Valuation
of each Parish
in a separate
Field Book,
and transmit
same to Com-
missioner of
Valuation.

How Commis-
sioner to make
out Lists of
Parishes,
Townlands,
&c. and trans-
mit same to
High Con-
stable, with No-
tice of Day of
Appeal.

annexed to this Act, to the High Constable or other Collector of the County Cess or Grand Jury Rate in or for the Barony ; and shall, at the Foot of such List, specify the Day and Place to be appointed by such Commissioner of Valuation for the Meeting of the Committee of Appeal, and which Day shall not be sooner than Six Weeks after the Day of the Transmission of such List to such High Constable.

High Con-
stable shall post
Copies of Lists
as Notices un-
der 59 G. 3.
c. 84. and send
Copies to
Churchwardens
of each Parish,
who shall post
them on
Church Doors,
&c.

XI. And be it further enacted, That every High Constable or Collector to whom any such List shall be transmitted as aforesaid, shall cause Copies to be made thereof, and to be posted or affixed in or at the Place appointed for posting Notices of Applications to Special Sessions, with respect to Grand Jury Presentments, under an Act made in the Fifty ninth Year of the Reign of His late Majesty King *George* the Third, for amending the Laws for making, repairing and improving the Roads and other Public Works in *Ireland*, by Grand Jury Presentments ; and such High Constable or Collector shall also transmit a Copy of the whole of such List to the Churchwardens or Churchwarden of every Parish within such Barony ; and every such Churchwarden, within Ten Days after the Receipt of such List, shall post and affix a Copy thereof on the principal outer Door of the Church, and of any One Roman Catholic Chapel, and of any One Presbyterian Meeting House within such Parish, there to remain affixed for Two successive *Sundays* after the affixing thereof ; and if any such Copy of any such List shall be removed from the Church or other Place where the same shall have been posted or affixed as aforesaid, or shall be destroyed or defaced at any Time within Fourteen Days after the affixing the same, the High Constable or Collector or Churchwarden, as the Case shall require, shall from time to time post and affix, or cause to be posted and affixed, a new Copy of every such List at such Place, or on the Door of such Church, Chapel or Meeting House respectively.

Churchwardens
shall call a Ves-
try to consider
the Lists, and
the Necessity
of appealing
against them.

XII. And be it further enacted, That within Ten Days next after the Receipt of the Copy of any such List as aforesaid, by the Churchwardens or Churchwarden of any Parish, from any High Constable or Collector, public Notice shall be given by such Churchwardens or Churchwarden, in the usual Manner of Notices given for holding Vestries in such Parish, that a Select Vestry will be holden in and for such Parish on some Day to be named in such Notice, not being less than Ten Days nor more than Fourteen Days from the *Sunday* on which any such List shall have been first affixed on the Door of the Church and other Place or Places of Public Worship in such Parish, for the Purpose of taking such List into Consideration, and to determine on the Necessity or Propriety of appealing against such List ; and such Vestry so assembled may proceed to take such List into Consideration, and may adjourn from time to time to any Day not more than Ten Days distant from the First Day of Meeting.

Of what Per-
sons Select Ves-
try to consist.

XIII. And be it further enacted, That no Person shall be admitted or entitled to attend or to vote at any such Select Vestry, to be holden for the Purposes last aforesaid, except such Persons as are hereafter described ; (that is to say,) any and every such Person as shall have actually paid and satisfied County Cess Charges or Grand Jury Rates for Lands or Tenements in such Parish,

Parish, to the Amount of Twenty Shillings, within Twelve Calendar Months next preceding the Day of holding of any such Vestry; and also any and every Person who shall be a Justice of the Peace, and who shall be qualified to act as such within such Parish; and also any and every Person who shall be seised of a Freehold Estate, situate within such Parish, of the Value of Twenty Pounds or upwards (not arising from a Rent Charge), and duly registered as such under any Act or Acts in force relating to the Election of Members of Parliament in *Ireland*, and of which Registry such Person shall produce a Certificate signed by the Clerk of the Peace; and if any Person shall attend or vote, or shall claim or offer to attend or vote at any such Select Vestry, not being qualified in such Manner as is hereinbefore stated, every such Person shall for every Offence forfeit the Sum of Ten Pounds.

XIV. And be it further enacted, That if on the First Day of the Meeting of such Vestry, or at any adjourned Meeting of such Vestry which shall be held on any Day not more than Ten Days distant from such First Day of Meeting, it shall be determined that an Appeal shall be made against any Valuation contained in such List, in respect of the Valuation of the whole of such Parish as compared with any other Parish within the Barony, or if it shall be satisfactorily made to appear to such Vestry that the Owners or Occupiers of the greater Number of Acres in any Townland within the Parish in which such Vestry shall be held shall be desirous of appealing against the Valuation of any such Townland as compared with that of any other Townland within the said Parish, it shall be lawful for such Vestry to direct that such Appeal shall be made by such Vestry on behalf of such Parish, or by certain Persons to be named at such Vestry on behalf of the Owners or Occupiers of Land within any such Townland as aforesaid; and a Memorandum of the Agreement to make such Appeal, or some Minute or Entry of the same, and of the Grounds of such Appeal, shall be stated in Writing, and shall be entered in the Books of such Vestry, or in some Book to be kept for that Purpose, and shall be signed by the Chairman of such Vestry and Four other Persons present at such Vestry; and a Copy of such Memorandum of such Agreement, and the Grounds of such Appeal, shall be transmitted by the Chairman of such Vestry within Two Days after such Meeting, to the Commissioners of Valuation for the County in which such Parish shall be situate, and shall be held to be sufficient Notice on the Part of such Parish or Townland of their Intention to appeal.

XV. And be it further enacted, That the Commissioner of Valuation for any County by whom such List of the Valuations of the several Parishes and Townlands in any Barony of such County shall be transmitted to the High Constable or Collector; as by this Act is required, containing such Notice of the Day and Place appointed by such Commissioner for the hearing Appeals against any Valuation specified in such List, shall, within Seven Days next after the transmitting such List to such High Constable or Collector, give and transmit Notice in Writing to the Clerk of the Peace of such County of the Day and Place so appointed for the Hearing of such Appeals; and such Clerk of the Peace shall give Notice of the Day and Place so appointed for the

Penalty.

If Vestry agree to appeal for Parish, or for any Townland, a Memorandum thereof and of the Grounds of Appeal shall be sent to the Commissioner of Valuation.

Notice by Commissioner to Clerk of the Peace, and by Clerk of the Peace to Committee of Appeal, of Day and Time appointed for hearing Appeals in public Newspaper.

the Hearing of such Appeals, by Letters addressed to each and every of the Persons who shall have been nominated and appointed by the Grand Jury, in pursuance of this Act, to be the Committee of Appeal against Valuations in and for such Barony; and such Clerk of the Peace shall also give Notice of such Day and Place of Meeting, by an Advertisement to be inserted in some public Newspaper usually circulated in such County, in some Publication of such Newspaper, Fourteen Days at least before the Day appointed for such Meeting.

Meeting of
Committee of
Appeal.

XVI. And be it further enacted, That it shall be lawful for such Committee of Appeal to assemble at the Day and Place appointed for the Hearing of all Appeals of which such Notice shall have been given as aforesaid, and that such Place shall be the usual Place of holding Sessions of the Peace within the Barony, unless some other Place shall be specially appointed in the Notice for the Sitting of such Committee of Appeal, and for the Hearing such Appeals; and that it shall be lawful for the Commissioner of Valuation to attend and act as Chairman of such Committee of Appeal, or it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, on the Application of any such Commissioner (or whenever it shall seem expedient to such Lord Lieutenant or other Chief Governor or Governors so to do), to appoint any practising Barrister to be an Assessor with such Committee, either to assist such Commissioner or in the Place and Stead of such Commissioner, and in such Case such Assessor shall attend and act as Chairman of such Committee of Appeal, and such Committee of Appeal so constituted shall decide on all Questions which shall come before them by a Plurality of Voices; and in case such Committee shall be equally divided, the Commissioner of Valuation, or, in his Absence, the Assessor, as the Case may be, being such Chairman, shall have the casting Voice; and it shall be lawful for such Committee of Appeal to adjourn from time to time as they shall see fitting and convenient.

Commissioner
(or Assessor to
be appointed by
Lord Lieuten-
nant) shall be
Chairman.

Chairman to
have casting
Vote.

Field Books to
be produced be-
fore Committee
of Appeal:

who may sum-
mon Witnesses;

and examine
them on Oath.

XVII. And be it further enacted, That the Commissioner of Valuation shall produce or cause to be produced before such Committee of Appeal all or any of the Field Books which shall have been transmitted to such Commissioner from the Valutors of any Parish, in case the same shall be required by such Committee, or in case the said Commissioner shall think it requisite so to do; and it shall be lawful for such Committee of Appeal to send their Precept or Precepts, under their Hands and Seals, or the Hands and Seals of any Two of them, or under the Hand and Seal of the Commissioner of Valuation, or, in his Absence, of the Assessor to be appointed as aforesaid, to any Person or Persons whomsoever, to attend and appear and be examined before such Committee of Appeal; and all and every Persons or Person who shall be called upon or summoned by any such Precept shall and they and he are and is hereby required and directed to attend such Committee of Appeal at such Time and Times and Place and Places as shall be appointed; and it shall be lawful for such Committee of Appeal or any Member thereof, and they and he is and are hereby authorized and empowered to examine any such Person or Persons upon Oath (or Affirmation in the Case of Quakers), and such Committee or any Member thereof (Three or
more

more of the Members of such Committee being present) shall and may and are and is hereby authorized and empowered to administer such Oath or Affirmation to any Person or Persons respectively; and all and every such Persons or Person shall answer upon Oath or Affirmation as aforesaid to all Questions which shall be put to them by such Committee or any Member thereof; and if any Person or Persons shall, upon his, her or their Examination before such Committee, wilfully and corruptly give false Evidence, every such Person so offending, and being thereof duly convicted, shall be and is hereby declared to be subject and liable to such Pains and Penalties as by any Law in force and effect in *Ireland* Persons guilty of Perjury are subject and liable to.

Perjury.

XVIII. And be it further enacted, That upon the Hearing of such Appeal, in case it shall appear to such Committee of Appeal, upon Evidence before them, that there is any just Cause of Complaint against such Valuation so appealed against or any Part thereof, either by reason of the Disproportion of the Valuation of any Parish or Townland as compared with the Valuation of any other Parish or Townland, or by reason of not having been valued with reference to the Standards fixed for such Valuation by this Act, or on any other Account whatsoever, it shall be lawful for such Committee of Appeal, if they shall consider a new Valuation to be necessary, to direct that a new Valuation shall be made of any Parish or Townland, or Parishes or Townlands contained in such Valuation, by Three Valuators of and for the County in which any such Parishes or Townlands shall be situate, and who shall not have been employed or engaged in making the Valuation appealed against; and such Committee shall order that such new Valuation shall be made, and shall be produced before such Committee by such Valuators on a Day to be appointed for that Purpose by the said Committee, to which Day it shall be lawful to such Committee of Appeal to adjourn accordingly; and at such adjourned Meeting of such Committee of Appeal it shall be lawful for the said Committee of Appeal and they are hereby authorized and required to compare such new Valuation with the former Valuation of the same Parish or Townland, or Parishes or Townlands, appearing in the Field Books made on the First Valuation thereof respectively, and to make such Alterations or Amendments in the Amount of such First Valuation, or otherwise to confirm the same, in such Manner as to such Committee of Appeal shall appear to be consistent with the Justice of the Case.

Committee of Appeal may direct Revaluation, or amend or confirm the original Valuation.

Proceedings on Appeal.

XIX. And be it further enacted, That it shall be lawful for such Committee of Appeal to ascertain and allow the Amount of any Costs incurred by or on behalf of any Parish in the bringing and hearing of any such Appeal, and the Amount of all such Costs so ascertained and allowed shall be assessed and apportioned by the Churchwardens or Churchwarden of such Parish, either on the Inhabitants of the whole of such Parish, or on the Inhabitants of any Townland or Townlands within such Parish, in respect of which such Appeal shall have been made, and shall be levied on such Inhabitants in like Manner and in such Proportions as any Assessment or Apportionment on any such Inhabitants in respect of any Church

Costs by Parishes on Appeal may be ascertained by Committee, and levied as other Parish Rates.

Church Rates or other Parish Charges may be assessed, applotted and levied.

Where no Appeal, Valuation conclusive ;

How far Decision of Committee of Appeal conclusive.

To what Person, when Valuations of all the Baronies in any County are completed, Commissioner shall send List thereof.

Notice thereof.

XX. And be it further enacted, That where no Appeal shall have been made to such Committee of Appeal against any such Valuation within the Time directed by this Act, such Valuation, as stated in the List prepared by the Commissioner of Valuation under the Directions of this Act, shall be conclusive ; and that, in case of Appeal, the Decision of such Committee of Appeal shall be conclusive in all Cases where such Decision shall be concurred in and approved of by the Commissioner of Valuation, or in his Absence by the Assessor to be appointed as aforesaid, and sitting as Chairman of such Committee of Appeal : Provided always, that in case it shall happen that such Commissioner of Valuation or Assessor respectively, sitting as such Chairman as aforesaid, shall disagree from the Decision of such Committee of Appeal, it shall and may be lawful for such Commissioner or Assessor to submit such Decision to the Committee of Revision for such County, at the Time when the Valuation of all the Baronies within the County shall be submitted to the Review of such Committee of Revision in manner hereinafter mentioned.

XXI. And be it further enacted, That when and so soon as the Valuation of all the Baronies within any County shall have been made by such Valuers as aforesaid, and transmitted to the Commissioner of Valuation for the said County, and decided on by such Committee of Appeal, in Cases where any Appeal shall be made against the same in manner directed by this Act, the said Commissioner shall prepare and make out a List or Table, in the Form contained in Number Two of the Schedule to this Act annexed, of all the several Baronies within such County, specifying the Number of Acres within each such Barony according to the Survey made thereof by the Officers of Ordnance, and the total Value of the Land and Houses in such Barony according to the Valuation thereof by such Valuers, pursuant to the Directions of this Act ; and shall transmit a Copy of such List or Table, signed by such Commissioner, and dated on the Day of the Transmission thereof, to the Clerk of the Peace of such County, and shall, at the Foot of the Copy of such List, specify the Day to be appointed by such Commissioner of Valuation for the Meeting of the Committee of Revision of the said County at the County Court House of the said County, for the Revision of the Valuation of the said Baronies, which Day shall not be sooner than Six Weeks next after the Date of the Copy of such List signed by such Commissioner ; and such Clerk of the Peace shall give Notice of the Day and Place appointed for the Revision of such List, by Letters addressed to each and every of the Persons who shall have been nominated and appointed by the Grand Jury in pursuance of this Act to be the Committee of Revision for such County ; and such Clerk of the Peace shall also give Notice of such Day and Place of Meeting of such Committee of Revision, by an Advertisement to be inserted in some public Newspaper usually circulated in such County, in some Publication of such Newspaper, Fourteen Days at least before the Day appointed for such Meeting.

XXII. And

XXII. And be it further enacted, That at the Day appointed for the Meeting of such Committee of Revision, the Members of such Committee of Revision, together with the Commissioner of Valuation for the County, and any Assessor who shall or may have been appointed under this Act to sit with any Committee of Appeal, shall meet together in the Court House of such County, and shall there proceed to inquire and consider and determine whether the several Baronies of the said County have been equally and properly valued, pursuant to the Directions of this Act, with reference to the Standards fixed for such Valuation by this Act, and also with reference to the respective Valuations of the several Baronies as compared with each other; and the said Commissioner of Valuation shall produce or cause to be produced before the said Committee of Revision, if they shall require the same, all the Field Books containing the Valuation of the several Parishes within the several Baronies of the said County, and such Field Books shall and may be consulted, perused and examined by the said Committee of Revision and any Member thereof; and if upon such Examination or otherwise it shall appear to such Committee of Revision that any excessive or defective Valuation has been made of any Barony, or that the Standard required by this Act has not been adhered to in such Valuation, it shall be lawful for such Committee of Revision to correct any Errors which may appear to them, upon Examination and Inquiry, to have been made in such Valuations, so as to make the Valuation of the respective Baronies just and equal and in due Proportion with each other.

Committee of Revision may examine Valuations of Baronies in Field Books, and amend the same as herein mentioned.

XXIII. Provided always, and be it enacted, That in case it shall happen that any Committee of Revision shall alter the Amount of the Valuation of any Barony as compared with another Barony, either by increasing or diminishing such Amount, such Alteration in the Valuation of any Barony shall not affect the proportionate Valuations of the several Parishes or Townlands within such Barony with respect to each other, but the Valuation of each and every such Parish and Townland respectively shall be altered, so that each may bear to each the same relative Proportion as was originally fixed, or as was confirmed or allowed by the Committee of Appeal.

If Committee alter Amount of Valuation of a Barony, such Alteration not to affect relative Proportions.

XXIV. And be it further enacted, That the Commissioner of Valuation, or in his Absence any Assessor who shall have been appointed under this Act, shall attend and act as Chairman of such Committee of Revision, and that such Committee shall decide on all Questions which shall come before them by a Plurality of Voices; and in case such Committee of Revision shall be equally divided, the Commissioner of Valuation, or in his Absence the Assessor, as the Case may be, being such Chairman, shall have the casting Voice; and it shall be lawful for such Committee of Revision to adjourn from time to time as they shall see fitting and convenient, and the Decision of such Committee of Revision, with the Concurrence of such Commissioner† or Assessor, as the Case may be, shall be final and conclusive: Provided always, that if such Commissioner or Assessor, as the Case may be, shall dissent from or shall disagree with the Determination of such Committee of Revision, it shall and may be lawful for such Commissioner to appeal from such Decision to His Majesty's Court of King's Bench at

Commissioner of Valuation or Assessor to be Chairman of Committee of Revision.

*† Sic.
In what Case Appeal to King's Bench in ensuing Term.*

Dublin,

Order of Court is to be carried into Effect by Committee of Revision, who may adjourn for that Purpose.

Dublin, at any Time in the Course of the Term next after such Decision of such Committee of Revision ; and in such Case such Committee of Revision shall adjourn to some Day after the End of such Term, for the Purpose of receiving the Report of the Determination of the said Court of King's Bench, and may afterwards adjourn to any further Day for such Purpose ; and it shall be lawful for the Judges of the said Court of King's Bench to hear such Appeal, and to make such Order and Determination thereon as to such Court shall seem fitting ; and the Determination of such Court shall be communicated by the Commissioner of Valuation to the said Committee of Revision at a Meeting to be held for that Purpose by Adjournment as aforesaid ; and it shall be lawful for such Court of King's Bench to refer to such Committee of Revision for any further Information, and such Committee shall afford all such Information as shall be required by the said Court of King's Bench, and shall then adjourn to a further Day to receive the final Determination of such Court of King's Bench, according to which such Committee of Revision shall amend or confirm such Valuation, in such Manner as shall be directed by the said Court of King's Bench.

List and Valuation of Baronies when finally settled by Committee of Revision, shall be published in *Dublin Gazette*, and other Newspaper.

XXV. And be it further enacted, That when the Committee of Revision shall have come to a final Decision, either according to their own Discretion in Cases where no Appeal shall have been made to the Court of King's Bench, or in performance of the Directions of the said Court upon any such Appeal, the List of the several Baronies, and the Valuation thereof as confirmed or amended, and finally agreed on by such Committee of Revision, shall be signed by the Commissioner of Valuation, or by the Assessor, and by Three at least of the Members of the Committee of Revision appointed by the Grand Jury ; and a Copy thereof, according to the Form contained in Number Three of the Schedule to this Act annexed, or in such other Form as shall be approved by the Judge and Grand Jury at any Assizes to be holden for such County, or by any Judge of the Court of King's Bench, shall, within Fourteen Days next after such List shall be so signed by such Commissioner and Committee, or Three Members thereof, be published in the *Dublin Gazette* and also in some public Newspaper circulated in the County to which such List and Valuation shall relate ; and the several Field Books and other Documents shall be transmitted by the Commissioner of Valuation to the Office of the Chief Secretary to the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, in *Dublin Castle*, to be there arranged and kept as may be most for † Convenience and Security.

Documents transmitted to Chief Secretary of Lord Lieutenant.

† *Sic*.

After such Publication, how County Cess to be levied.

XXVI. And be it further enacted, That from and after the End of the Assizes next ensuing the Day on which such List and Valuation so signed as aforesaid shall be published in the *Dublin Gazette*, all County Cess Charges whatsoever and all Grand Jury Rates imposed or to be imposed on such County by Presentments of the Grand Jury, or to be raised off such County, or any Barony, Parish or Division thereof, and all Parish Rates imposed or to be imposed, or levied or to be levied, under the Authority of any Act or Acts of Parliament, shall be assessed and levied off such County, and off every Barony, Parish, Townland or other Division therein, according to the Proportions specified in such List and Valuation

so published, and not otherwise; any Law, Usage or Custom, or any former Assessment or Valuation, to the contrary in anywise notwithstanding.

XXVII. And be it further enacted, That it shall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, to order and direct that a Salary at the Rate of not more than Five hundred Pounds by the Year shall and may be paid to each and every Person who shall be appointed to be a Commissioner of Valuation in or for any One or more County or Counties under the Authority of this Act, during the Time he shall be so employed; and also that any and every Person who shall be appointed to be a Valuator in any Parish under the Authority of this Act shall receive and be entitled to receive for his Trouble any Sum of Money or Allowance not exceeding the rate of Twenty Shillings for every Day during which any and every such Valuator shall be employed by or engaged under the Orders of such Commissioner of Valuation, upon a Certificate, to be signed by such Commissioner, that such Valuator was so employed for the Number of Days to be stated in such Certificate, and that such Valuator diligently conducted himself in the Execution of this Act in a Manner satisfactory to such Commissioner.

Salary to Commissioners of Valuation and daily Pay to Valutors.

XXVIII. And be it further enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, to order and direct that any such Sum or Sums of Money as he or they shall think proper shall from time to time be advanced out of the Produce of the Consolidated Fund of the United Kingdom, arising in *Ireland*, for the defraying the Salaries of the said several Commissioners of Valuation, and the Allowances which shall be from time to time payable to the Valutors employed in carrying this Act into Execution; and all such Advances shall be made to such Persons, at such Times, in such Manner, and under such Rules and Regulations, as shall from time to time be ordered and directed by such Lord Lieutenant, and as shall be signified in the usual Manner by the Chief Secretary, or, in his Absence, by the Under Secretary; and it shall be lawful for such Chief Secretary or Under Secretary to certify to the Grand Jury of any and every County within which any such Valutors shall be employed the Amount of Money which shall be paid to the Commissioner of Valuation, and to the several Valutors in the several Parishes within such County in the Execution of this Act, out of the Advance authorized by this Act; and thereupon it shall and may be lawful for the Grand Jury of any and every such County respectively, and they are hereby authorized and required to make Presentment of the Amount of such Expences as stated in such Certificate, to be raised off the County at large, or the several Baronies therein, in such Manner and in such Proportions as the Lord Lieutenant or other Chief Governor or Governors shall direct; and when and so soon as the Sum so to be presented as aforesaid shall be raised and received by the Treasurer of any County, such Treasurer shall pay over the same to the Collector of Excise for the District in which any such Barony shall be situate respectively.

Lord Lieutenant may advance Money out of Consolidated Fund;

Sums paid to Commissioner and Valutors to be repaid by Presentment.

XXIX. And be it further enacted, That all Provisions and Directions in this Act contained relating to Counties shall extend to all Counties, Counties of Cities, Counties of Towns and Towns

Provisions as to Counties, extended to Counties of

Towns and Cities (Exception); the like as to Baronies and other Subdivisions.

Corporate in *Ireland*, except the County of the City of *Dublin*; and that all the Acts and Duties by this Act required to be performed by the several Grand Juries at the Assizes for any County shall and may, in the County of *Dublin*, be performed at the Presenting Terms by the Grand Juries duly met and impannelled; and that all Provisions and Directions relating to Baronies shall extend to Half Baronies, and to all other Divisions of Counties being greater than Parishes; and that all Provisions and Directions relating to Parishes shall extend to all Chapelries, and to all Unions of Parishes, as if the same were One Parish, in Cases where any such Union shall be rateable as One Parish; and that all Provisions and Directions relating to Townlands shall extend to all Divisions and Subdenominations of Land less than and being comprised within any Parish; and that where any Parish or Union shall be situate in more than One County or Barony, or partly in a County and partly in a County of a City, County of a Town or Town Corporate, the several Parts of such Parish shall be valued as a distinct Parish in the several Baronies or Counties, or Counties of Cities or Counties of Towns or Towns Corporate, to which they shall contribute to the Payment of any County Cess Charges or Grand Jury Rate.

High Constable, Churchwarden, Commissioner, &c. neglecting their Duty in Execution of Act.
Penalty.

XXX. And be it further enacted, That if any High Constable or other Collector of County Cess Charges or Grand Jury Rates, or any Churchwarden of any Parish, or any Commissioner of Valuation in any County, or any Valuator appointed by such Commissioner, or any Clerk of the Peace, shall omit, or neglect, or refuse to do any Matter or Thing which such High Constable or Collector, Churchwarden, Commissioner, Valuator or Clerk of the Peace are by this Act required and directed to do in the Execution of this Act, in manner required by this Act, every Person so offending shall forfeit a Sum not exceeding Twenty Pounds, and not less than Five Pounds, in the Discretion of the Justice before whom such Offender shall be convicted.

4 G.4. c. 99.

§ 24.

Upon Completion of Valuation of Barony, Copy of Valuation of Parish may be transmitted to Parish.

Composition for Tithes apportioned by Valuation.

† Sic.

XXXI. And Whereas by an Act passed in the Fourth Year of His present Majesty's Reign, intituled *An Act to provide for the establishing of Compositions for Tithes in Ireland for a limited Time*, it is amongst other Things enacted, that whenever and as soon as a Survey of any Parish in *Ireland* shall be made and completed as Part of a General Survey, such Survey shall be applied to the Purposes of the said Act: Be it enacted, That from and after the Completion of any Valuation of any Barony under this Act it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, on the Application of the Incumbent or Parishioners in Vestry assembled of any Parish, to order and direct that there be transmitted to such Parish a Copy of the Survey of such Parish, together with the Valuation of the Lands within such Parish as entered in the Field Books of the Valuers appointed by the Commissioner of Valuation under this Act, omitting therefrom the Valuation of the Houses within such Parish; and the Composition for Tithes in such Parish shall thereafter be apportioned on the several Lands within such Parish (not being Tithe free), according to the proportionate Value of such Lands as appearing† from such Valuation.

XXXII. Provided

XXXII. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to subject to the Payment of County Cess Charges or Grand Jury Rates any Portion, Parish, District or Division, of or in any County, or County of a City or County of a Town, which at the Time of the passing of this Act shall by Law be exempt from the Payment of such County Cess Charges or Grand Jury Rates, nor to alter, or increase or decrease the Amount of any Sum which at the Time of the passing of this Act shall be fixed by Law as the Sum to be paid by any Portion, Parish, District or Division, of or in any County, or County of a City or County of a Town, in lieu or Satisfaction of or as a Composition for all County Cess Charges or Grand Jury Rates to which any such Portion, Parish, District or Division, of or in any of such County, or County of a City or County of a Town would otherwise be liable.

Proviso for
Payment of
County Cess.

XXXIII. And be it further enacted, That all Penalties and Forfeitures inflicted or imposed by this Act may, in case of Non-payment thereof, be recovered in a summary Way by the Order and Adjudication of any Two Justices of the Peace for the County or Place in which such Penalty shall be incurred, upon Complaint to them for that Purpose exhibited, and shall afterwards be levied, as well as the Costs of such Proceedings in case of Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or Offenders, or Person or Persons liable to pay the same, by Warrant under the Hand and Seal of such Justices; and such Justices are hereby authorized and required to summon before them any Witness or Witnesses, and to examine such Witness or Witnesses upon Oath (or Affirmation) of and concerning such Offences, Matters or Things, and to hear and determine the same; and the Overplus (if any) of the Money so levied or recovered, after discharging the Fine, Penalty or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same, shall be returned, upon Demand, to the Owner or Owners of the Goods or Chattels so seized or distrained; and in case such Penalties or Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justices to order the Offender or Offenders so convicted to be detained and kept in safe Custody until return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justices for his or their Appearance before such Justices on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justices are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for any One of such Justices, or any other Justice of the Peace for such County or Place as aforesaid, and such Justice is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Offender or Offenders to be committed to the Gaol of such County or Place, there to remain without Bail or Mainprize for any Term not exceeding Two Calendar Months, unless such Penalties or Forfeitures respectively, and all reasonable Charges,

How Penal-
ties may be re-
covered.

Proceedings on
Nonpayment of
Penalties.

Application of
Penalties.

shall be sooner paid and satisfied; and One Moiety of such Penalties or Forfeitures, when so levied, shall be paid to the Person who shall sue or prosecute for the same, and the other Moiety shall be paid and applied to the Use of the Poor of the Parish in which such Offence shall be committed, in such manner as such Justices shall direct and appoint.

Form of Con-
viction.

‘ XXXIV. And for the more easy and speedy Conviction of the ‘ Offenders against this Act;’ Be it further enacted, That the Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up in the following Form of Words (as the Case shall happen), or in any other Form of Words to the same Effect; (that is to say,)

† Sic.

‘ to wit. } BE it remembered, That on the
Day of in the Year
‘ of our Lord A. B. is convicted
‘ before us, Two of His Majesty’s Justices of the Peace of the
‘ said County [or City or Town, as the Case may be], by virtue of
‘ an Act passed in the Seventh Year of the Reign of King George
‘ the Fourth, intituled *An Act [here set forth the Title of this Act,*
‘ † and specifying the Offence, and when and where committed].
‘ Given under our Hands and Seals the Day and Year above
‘ written.’

Appeal to Quar-
ter Sessions.

XXXV. Provided always, and be it further enacted, That it shall be lawful for any Person who shall think himself or herself aggrieved by any such Conviction to appeal to the Justices of the Peace at the next General or Quarter Sessions of the Peace to be holden for the County or Place, and every Person appealing against any such Conviction shall (if there be sufficient Time after the Cause of Complaint shall have arisen) first give or cause to be given Ten Days’ Notice at least in Writing of his or her Intention of bringing such Appeal and of the Matter thereof to the Justices whose Conviction shall be so appealed against, and, within Seven Days next after the Date of such Notice, shall enter into a Recognizance before some Justice of the Peace for the County or Place, with Two sufficient Sureties, conditioned to try such Appeal, and to abide by or submit to the Order thereon, and to pay such Costs as shall be awarded by the Justices at such Quarter Sessions or any Adjournment thereof; and for Want of sufficient Time for giving such Notice previous to the Quarter Sessions next after the Cause of any such Complaint shall have happened, then such Appeal, after such Notice and under such Recognizance, may be made at the Second General or Quarter Sessions of the Peace to be holden for such County or Place, and the Justices at such First or Second Sessions, or any Adjournment thereof, upon due Proof of such Notice having been given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and shall award such Costs to the Parties appealing or appealed against as they the said Justices shall think proper, and the Determination of such Justices at such Sessions shall be final, binding and conclusive to all Intents and Purposes; and it shall be lawful for the said Justices at such Sessions, by their Order or Warrant, to levy such Costs

Notice and
Security.

Costs of Ap-
peal recoverable
by Distress.

Costs so awarded, by Distress and Sale of the Goods and Chattels of the Person or Persons who shall refuse or neglect to pay the same, and for Want of sufficient Distress to commit such Person or Persons to the Common Gaol or House of Correction for the said County, there to remain for any Time not exceeding Two Calendar Months, or until Payment of such Costs. Imprisonment.

XXXVI. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act shall be quashed for Want of Form, nor be removed nor removable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Dublin*; and where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons or Conviction, or in the Warrant of Distress or other Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage (if any) in an Action on the Case; but no Plaintiff or Plaintiffs shall recover in any Action for such Irregularity as aforesaid, if Tender of sufficient Amends hath been made by or on behalf of the Party distraining before such Action commenced. Proceedings not to be quashed for Want of Form, &c.

XXXVII. And be it further enacted, That no Action, Suit or Proceeding shall be commenced or prosecuted against any Justice of the Peace or any Commissioner of Valuation, or against any Valuator, or against any other Person or Persons, for any Thing done in pursuance of this Act, until Thirty Days' Notice thereof shall be given to such Justice or Commissioner or Valuator, or other Person or Persons, nor after a sufficient Satisfaction or Tender of Amends hath been made to the Party or Parties aggrieved, nor after the Expiration of Three Calendar Months next after the Fact committed; and every such Action or Suit or Prosecution shall be laid or brought in the County, County of a City or County of a Town where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action, Suit or Prosecution, shall and may, at his or their Election, plead Specially or the General Issue, Not Guilty, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if any Replevin shall be brought for any Cattle, Goods or Chattels seized or taken by virtue or in pursuance of this present Act, it shall and may be lawful and sufficient to and for any Person or Persons, who shall be Defendant or Defendants, or Avowant or Avowants in any such Replevin, to avow, plead or make cognizance generally, that he or they took the same Cattle, Goods or Chattels, as a Distress by force of the Statute in that Case made and provided, without more particularly setting forth this Act, or the Cause of making or detaining the said Distress or Distresses, or making any other more special Plea, Avowry or Cognizance; any Thing herein contained to the contrary. Limitation of Actions, &c.
Notice.
Tender of Amends.
Venue.
General Issue.
General Avowry in Replevin.

contrary notwithstanding; and if it shall appear that the Matter on which the Cause of Action arose was done, or that the Distress replevied was made in pursuance and by Authority of this Act, or that such Action or Suit shall have been brought before Thirty Days' Notice thereof was given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County, County of a City or County of a Town than as aforesaid, then the Jury shall find for the Defendant or Defendants, or Avowant or Avowants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or shall discontinue his, her or their Action, Suit or Prosecution after the Defendant shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, Defendant or Defendants or Avowant or Avowants shall recover Double Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in other Cases of Costs given by Law.

Double Costs.

SCHEDULES to which this Act refers.

No. 1.

Barony of B. in the County of C.

VALUATION of LANDS, &c. within the several Parishes and Townlands in the said Barony; made in pursuance of the Act 7 Geo. IV. c. 62. for the uniform Valuation of Lands in Ireland.

	Acres.	Annual Value of Lands, &c.	Total in each Parish.	
			Acres.	Value.
Parish of A.		£	No.	£
Townland D. - - -	250	120		
----- E. - - -	100	100		
----- F. - - -	50	25		
Total in the Parish of A.			400	245
Parish of G.				
Townland H. - - -	60	100		
----- I. - - -	47	37		
----- K. - - -	160	240		
Total in the Parish of G.			267	377
&c. &c.	&c.			
Total in Barony -	-	-	667	622

THE Meeting of the Committee of Appeal, named for the said Barony by the Grand Jury of the said County, is appointed for the Day of next, at the Court House at [or at any other Place fixed for the Meeting]. Dated this Day of 18 .

To the High Constable [or Collector]
of the Cess] for the Barony of B. }

C.V.
Commissioner of Valuation
for the County of C.

A Copy of this List is to be transmitted by the High Constable [or Collector] to the Churchwardens of the several Parishes within the said Barony of B. and to be posted in manner directed by the said Act 7 Geo. IV. c. 62. for the Valuation of Lands in Ireland.

Letters to be addressed to C.V. at

No. 2.

County of C.

VALUATION of LANDS, &c. within the several Baronies in the said County, made in pursuance of the Act 7 Geo. IV. c. 62. for the uniform Valuation of Lands in Ireland.

Baronies.	Parishes.	Townlands.	Acres.	Annual Value of Lands, &c.	Total in each Barony.	
					Acres.	Value.
A.	B.	C.	No.	£	1,340	445
		D.	140	90		
		E.	200	120		
		F.	500	65		
	G.	200	100			
		H.	300	70		
Total of Barony A. -		-				
I.	K.	L.	400	200	1,230	540
		M.	250	100		
		N.	80	40		
	O.	500	200			
Total of Barony I. -		-				
&c.	&c.	&c.	&c.	&c.	&c.	&c.
Total of all the Baronies in the County					-	-

THE Meeting of the Committee of Revision named by the Grand Jury of the said County is appointed for the _____ Day of _____ next, at the County Court House at _____ for the Revision of the foregoing Valuation. Dated this _____ Day of _____ 18 _____.

C.V.

Commissioner of Valuation of the said County.

The Clerk of the Peace is required by the said Act to give Notice of the Day and Place above appointed to each and every Member of the said Committee of Revision, and also to advertise the same in some public Newspaper circulated in the said County, Fourteen Days at least before the said Day of Meeting.

No. 3.

County of C.

VALUATION of LANDS, &c. within the several Baronies in the said County, finally confirmed and agreed on by the Committee of Revision appointed by the Grand Jury of the said County, in pursuance of the Act 7 Geo. IV. c. 62. for the uniform Valuation of Lands in Ireland.

Baronies.	Parishes.	Townlands.	Acres.	Annual Value of Lands, &c.	Total in each Barony.			
					Acres.	Value.		
A.	B.	C.	No.	£	1,340	445		
		D.	140	90				
		E.	200	110				
		F.	500	75				
		G.	200	100				
	F.	H.	300	70				
		Total of Barony A. - - -						
		I.	K.	L.			400	200
				M.			250	100
			N.	O.			80	40
Total of Barony I.	- - -	P.	500	200				
		- - -						
		&c.	&c.	&c.	1,230	540		
Total of all the Baronies in the County - - -					&c.	&c.		

C. D.

County Court House,
atCommissioner of Valuation
for the County of C.

Day of

18

E. F. } Members of the Committee
G. H. } of Revision for the said
I. K. } County.

C A P. LXIII.

An Act to provide for repairing, improving and rebuilding Shire Halls, County Halls and other Buildings for holding the Assizes and Grand Sessions, and also Judges' Lodgings throughout *England and Wales*. [26th May 1826.]

9 G.3. c.20.

WHEREAS an Act was passed in the Ninth Year of the Reign of His late Majesty King George the Third, intituled *An Act to enable the Justices of the Peace, in their General Quarter Sessions of their respective Counties and Divisions, to repair the Shire Halls, County Halls or other Buildings wherein the Assizes or Grand Sessions are usually held*: And Whereas it is expedient that the said Act should be repealed, and that more effectual Provisions should be made for the rebuilding, enlarging, improving and repairing of Shire Halls, County Halls and other Buildings for holding the Assizes or Grand or other Sessions, and for providing Lodgings for the Accommodation of His Majesty's Judges of Assize, within the several Counties, Ridings

‘*Ridings and Divisions in England and Wales*,’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said recited Act shall be and the same is hereby repealed. repealed.

II. Provided always, and be it enacted, That all Acts, Matters and Things relating to the building or repairing of Shire Halls, County Halls or other Buildings, which shall have been commenced or done under or by virtue of the said Act so hereby repealed, shall remain as good and valid, to all Intents and Purposes, as if this Act had not been made; and that the Clauses and Provisions of this present Act shall be applied and put in execution for the completing of the building or repairing of such Shire Halls, County Halls or other Buildings, as if such Acts, Matters and Things had been commenced and done under the Authority or according to the Directions of this present Act.

All Acts commenced under repealed Act declared valid, and may be completed under this Act.

III. And be it further enacted, That whenever it shall appear to the Justices at any General or Quarter Sessions of the Peace, to be holden at any Time after the passing of this Act, in any County, Riding or Division in *England or Wales*, by any Presentment to be made by the Grand Jury at any Assizes or Great Session or Session of Gaol Delivery or Session of the Peace, to be holden for any such County, Riding or Division, or by any Presentment to be at any Time made by any Two or more Justices of the Peace in and for such County, Riding or Division, and laid before the Justices at any such General or Quarter Sessions of the Peace, that any Shire Hall, County Hall or other Building accustomedly made use of for holding the Assizes or Grand or other Sessions of the Peace, or that any Lodgings for the Accommodation of His Majesty’s Judges of Assize in and for such County, Riding or Division, shall be insufficient, inconvenient, deficient, or in want of Repair or Improvement, or that there is a Necessity for the Erection of a new Shire Hall, County Hall or other Building, or of Lodgings for His Majesty’s Judges of Assize, it shall and may be lawful for the Justices assembled at the General or Quarter Sessions at which such Presentment shall be laid before such Justices, or at the then next General or Quarter Sessions or Adjournment thereof, for such County, Riding or Division, and they are hereby required to cause Notice to be given Three Times at least in some public Newspaper circulating within such County, Riding or Division, of such Report or Presentment having been laid before them at such Sessions, and of their Intention to take the same into consideration at the next ensuing or some subsequent General or Quarter Sessions or Adjournment thereof; and in case the Justices at such last mentioned Sessions, or the major Part of them, shall resolve that such Report or Presentment is well founded, then it shall and may be lawful for such Justices, and they are hereby required, at the Sessions mentioned in such Notice, or at some subsequent Sessions or Adjournment thereof, with the like Notice, to take such Measures, either by Contract or otherwise, as shall appear to them to be requisite and proper for the altering, enlarging, repairing or improving of any Shire Hall, County Hall or other Building or Lodgings as aforesaid, or for

If Justices, upon Presentments made, shall deem any Shire Hall, &c. insufficient, or in want of Repair, they shall give Notice that the same will be considered at some future Sessions, when they may take such Measures as shall appear requisite for the Purpose.

for the pulling down of any such Shire Hall, County Hall or other Building or Lodgings, or any Part thereof, and for the building of any new Shire Hall, County Hall or other Building or Lodgings of His Majesty's Judges, or any Part thereof, in lieu of any Building or any Part of any Building which shall be so pulled down, regard being had, in the Case of Contracts, to the Reasonableness of the Price and Responsibility of the Contractors; and every Contractor shall give sufficient Security for the due Performance of his Contract to the Clerk of the Peace for such County, Riding or Division; and such Contract may be inspected at all reasonable Times by any Justices, or by any other Person contributing to the Rate of such County, Riding or Division, without Fee or Reward.

No Fee.

Justices may purchase Houses, &c. for the Purpose of building or enlarging any Shire Hall, &c.

IV. And be it further enacted, That after such Presentment and Notice as aforesaid, it shall and may be lawful for the Justices in General or Quarter Sessions assembled, or the major Part of them, and they are hereby empowered to purchase any Houses, Lands, Tenements or Hereditaments for the Purpose of enlarging, improving or rendering more commodious, or for the Building or rebuilding any Shire Hall, County Hall or other Building or Lodgings as aforesaid, or any Part thereof, and to direct the Property so purchased to be conveyed to such Person or Persons as the said Justices shall think fit, in trust for the Purposes aforesaid, under the Regulations and Directions in this Act contained; and such Houses, Lands, Tenements or Hereditaments shall, when inclosed and added to such Shire Hall, County Hall or other Building or Lodgings, be deemed and taken to be Parts of such Shire Hall, County Hall or other Building or Lodgings, and to be within the County, Riding or Division to the Use of which such Shire Hall, County Hall or other Building or Lodgings may be applied, to all Intents and Purposes whatever so long as the same shall be used by such County, Riding or Division for the Purposes of this Act, and no longer.

Justices may remove the Site of Shire Halls upon express Presentment that the old Shire Hall was unfit and inconvenient.

V. And be it further enacted, That in case any Presentment shall be expressly made by any Grand Jury, that the Place wherein any old Shire Hall, County Hall or other Building or Lodgings as aforesaid, is situated, is improper, and that the Shire Hall, County Hall or other Building or Lodgings as aforesaid, ought therefore to be removed to some other Place within the County, Riding or Division, or in case any Presentment shall be made by any Grand Jury, that any Shire Hall, County Hall or other Building or Lodgings as aforesaid, shall be in such a State that the same ought to be pulled down, and a new Building erected, it shall be lawful for the Justices at their General or Quarter Sessions assembled, and they are hereby required to take such Presentment into their Consideration; and if it shall be resolved by the Justices assembled at Two successive General or Quarter Sessions, or the major Part of them, that any old Shire Hall, County Hall or other Building or Lodgings as aforesaid, ought to be removed or pulled down, and that such new Shire Hall, County Hall or other Building or Lodgings as aforesaid, are necessary, it shall be lawful for the Justices so assembled to contract for the Building of a new Shire Hall, County Hall or other Building, in any Part of the County, Riding or Division which they

they may deem most eligible, (not being more than One Mile from the Site of the Shire Hall, County Hall or other Building, in lieu of which the same shall be built); and whenever the Building of any Court of Justice is or shall be so attached to any Shire Hall, County Hall or other Building, as to render it impracticable or inconvenient to repair, enlarge, improve or rebuild the said Shire Hall, County Hall or other Building, without also altering or pulling down the Building of the said Court, then and in such Cases it shall be lawful for the Justices in General or Quarter Sessions assembled to cause such Courts to be altered or pulled down, or to be rebuilt, either on the same or on any other Site, subject to the same Provisions as are by this Act appointed with respect to Shire Halls, County Halls or other Buildings as aforesaid.

VI. Provided always, and be it enacted, That if the said Justices so assembled in Two successive General or Quarter Sessions shall see fit, it shall and may be lawful for such Justices to give, grant or convey gratuitously, the whole of the Ground or Soil of any such Shire Hall, County Hall or other Building or Lodgings as aforesaid, or any Part or Parts of the same respectively, for the Purpose of widening, opening or otherwise improving any Road, Street, Way or Passage, or Roads, Streets, Ways or Passages, in any County, Riding or Division, or in any City or Town, within or adjoining to which such Shire Hall, County Hall or other Building or Lodgings as aforesaid, shall be situate; and if the whole of such Ground or Soil shall not be necessary for making the Improvement or Improvements, then to sell or dispose of the Residue thereof in manner herein provided.

VII. And be it further enacted, That all Matters and Things whatever, which might or ought to be lawfully done, performed and executed in any Shire Hall, County Hall or other Building, or in the Lodgings of His Majesty's Judges as aforesaid, which shall be wholly or in part pulled down, or the Site of which shall be removed under the Provisions of this Act, shall and may be lawfully done, performed and executed in any new Shire Hall, County Hall or other Building or Lodgings as aforesaid, which may be built or rebuilt in the lieu and Stead of any Shire Hall, County Hall or other Building or Lodgings so pulled down, or in any Shire Hall, County Hall or other Building or Lodgings which shall be built, rebuilt, repaired or enlarged, in lieu of any Part of any former Shire Hall, County Hall or other Building or Lodgings, in lieu of or † addition to any Part of any former Shire Hall, County Hall or Building or Lodgings as aforesaid; and that all Matters and Things done, performed or executed in such new Shire Hall, County Hall or other Building or Lodgings, shall be as good, valid and effectual, to all Intents and Purposes whatever, as if they had been done, performed and executed in such former Shire Hall, County Hall or other Building or Lodgings as aforesaid.

VIII. And Whereas the Courts of Assize, Nisi Prius, Oyer and Terminer and Gaol Delivery of several Counties at large, are often held in or near Cities or Towns that are Counties of themselves, and at the same Time with the like Courts for the said Cities or Towns; and Inconveniences frequently arise in transacting

Distance from Site of old Shire Hall.

Sites of such Shire Halls may be applied to the Improvement of the Roads or Streets, &c.

How Overplus disposed of.

All Matters performed in new Shire Halls, &c. shall be as valid as if done in the old Shire Halls, &c.

† Sic.

Proviso as
Lodgings of
the Judges at
County As-
sises.

‘transacting the Business of the several Courts, for that the Lodgings of the Judges are situate either only in the County at large, or only in the County of such City or Town;’ Be it therefore enacted, That whenever the Courts of Assize, Nisi Prius, Oyer and Terminer or Gaol Delivery, for any County at large in *England*, shall be held in or near any City or Town which is also a County of itself, and at the same Time with the like or any of the like Courts for the said City or Town, the Lodgings of the Judge or Judges shall be construed and taken to be situate both within the County at large, and also within the County of such City or Town, for the Purpose of transacting the Business of the Assises for such County at large, and for the County of such City or Town, during the Time that such Judge or Judges shall continue therein for the Execution of their several Commissions.

Justices may
order occasional
Repairs, and
report the same
to the Sessions.

IX. Provided always, and be it enacted, That in case it shall at any Time happen that any such Shire Hall, County Hall or other Building or Lodging, shall be injured by means of Fire or any sudden Accident, between the several Times of holding the General or Quarter Sessions for such County, Riding or Division, it shall and may be lawful for any Two or more Justices of the Peace for such County, Riding or Division, to make an Order that such Repairs shall be immediately done and made, as may be necessary and sufficient for the upholding of any such Shire Hall, County Hall or other Building or Lodgings; and such Order of such Two Justices, together with an Account of any Proceedings which may have taken place in consequence thereof, shall be laid before the next Court of General or Quarter Sessions to be holden for such County, Riding or Division; and it shall be lawful for such Court, and such Court is hereby authorized and required, to order the Payment of such Sum or Sums of Money as in the Opinion of such Court shall appear to have been properly expended in such Repairs as aforesaid.

When the
Amount of
Estimate for
building ex-
ceeds One Half
of the annual
County Rate,
Justices may
borrow Money
on Mortgage of
the Rates.

X. And be it further enacted, That when it shall appear that the Amount of any Estimate approved by the Justices for the Building or rebuilding, repairing, improving or enlarging any Shire Hall, County Hall or other Building or Lodgings as aforesaid, under the Powers of this Act, shall exceed One Half of the Amount of the ordinary annual Assessment for the Rate of any County, Riding or Division (such ordinary Assessment to be taken on an Average of such Rate for the last Seven Years preceding), it shall and may be lawful for the Justices in Quarter Sessions assembled, from time to time to borrow and take up, on Mortgage of such Rate, by Instrument in the Form contained in the Schedule to this Act annexed, marked (A), or to the like Effect, any Sum of Money not exceeding the Amount of such Estimate, in Sums not less than Fifty Pounds each, at Interest, as to the said Justices shall appear necessary and expedient for the Purposes aforesaid, and to secure every such Sum of Money so borrowed upon the Credit of the said Rates; and it shall and may be lawful for the Justices so assembled, and they are hereby authorized, to treat and agree with any Person for the Loan of any such Sums of Money, and by their Order to confirm every such Agreement; and every such Agreement, signed by the Chairman and Two or more other Justices present at the Time of making such Order, shall be and the same is hereby declared

In what Case
Agreement
effectual.

clared to be effectual for securing every Sum of Money so advanced, with Interest thereon, to the Person or Persons advancing the same, on such Terms as in and by such Agreement shall be stipulated, and Copies or Extracts of all such Agreements shall be kept by the Clerk of the Peace; and it shall and may be lawful for every Person who shall be entitled to the Money thereby secured, and such Person is hereby empowered, by indorsing his Name on the Back of such Security, to transfer the same, and his Right to the Principal Money and Interest thereby secured, unto any other Person; and every such Assignee may in like Manner transfer the same again, and so *toties quoties*; and the Person to whom such Security or any such Assignment thereof shall be made, and his Executors, Administrators and Assigns, shall be Creditors upon the said Rate in an equal Degree one with another, and shall not have any Preference with respect to the Priority of any Monies so advanced.

Copies kept by
Clerk of the

XI. And be it further enacted, That it shall and may be lawful for the said Justices, and they are hereby authorized and required to charge the Rate to be raised upon such County, Riding or Division, not only with the Interest of the Money so borrowed, but also with the Payment of such further Sum as shall ensure the Payment of the whole of the Sum borrowed within Fourteen Years from the Time of borrowing the same; and such Sums shall be assessed on the County, Riding or Division, in such manner as County Rates are directed to be assessed under the Laws in force for that Purpose, and shall be paid and applied under the Direction of the Justices, in discharge of the Interest, and of so many of the Principal Sums on the said Securities as such Money will extend to discharge in each Year, until the whole of the Money for which such Securities shall be made, and the Interest thereof, shall be fully paid and discharged; and the Justices shall and they are hereby required to fix One or more Day or Days in each Year on which such Payment shall be made, and shall make Orders for Assessments in due Time, so as to provide for the regular Payment thereof; and such Justices shall also, and they are hereby required to appoint a proper Person to keep an exact and regular Account of all the Receipts and Payments under the Authority of this Act, in a Book or Books, separate and apart from all other Accounts, and the same to adjust and settle in such manner that it may easily be seen what Interest is growing due, and what Principal Money has been discharged, and what remains due, and the Books or Book so adjusted and settled to deliver into Court at every General or Quarter Sessions to be held for such County, Riding or Division; and the Justices shall also, and they are hereby required at every such Sessions carefully to inspect all such Accounts, and to make Orders for carrying the Purposes of this Act into Execution, in such manner as to them shall seem meet; and if at any Time it shall appear to the Justices that the Person appointed for the Purposes aforesaid has neglected to perform any Matter or Thing required by this Act or by the Order of such Justices, or has not duly and without Delay applied all Money in his Hands to the Purposes directed by this Act, such Person shall forfeit a Sum equal to One Half the Amount of the Money which shall not have been applied to the Purposes of this Act; and the Justices

Justices may
charge County
Rates with
Interest on
Money borrow-
ed, and form a
Sinking Fund
to repay the
whole as herein
mentioned.

Books to be
kept of Re-
ceipts and Pay-
ments.

Neglecting to
perform Act.

Penalty.

Justices so assembled in Sessions as aforesaid shall direct in what Order such Securities shall be discharged, by drawing Lots or otherwise, as they shall think fit, taking care to discharge, in the first Place, all such Securities as shall bear the highest Rate of Interest.

Powers of
6 G. 4. c. 40.
applied to this
Act.

XII. And be it further enacted, That an Act made in the Sixth Year of His present Majesty's Reign, intituled *An Act to enable Justices of the Peace in England, in certain Cases, to borrow Money on Mortgage of the Rate of the County, Riding or Place for which such Justices shall be then acting*, and the several Clauses, Powers and Provisions in the said recited Act contained, relating to the paying off of any Debt or Debts, and the borrowing of any Money for such Purpose, shall and may be applied in the paying off any Money borrowed under the Provisions or for the Purposes of this Act, as fully and effectually as if such Clauses, Powers and Provisions were repeated and re-enacted in this Act.

Persons or Dis-
tricts liable to
repair or fur-
nish Shire
Halls, &c.
shall continue
so liable.

XIII. Provided always, and be it enacted, That in Cases where any Shire Hall, County Hall or other Building, accustomably made use of for holding the Assizes or Great or other Sessions, or any Lodgings for the Accommodation of His Majesty's Judges of Assize, in any County, Riding or Division in *England or Wales*, hath for Time out of Mind been maintained, repaired or provided at the Expence of any particular Person or Persons, or of any Riding or Ridings, or Division or Divisions, or Part or Parts of any County or Shire, or City or Town Corporate, such Shire Hall, County Hall or other Building or Lodgings, shall continue to be maintained, repaired or provided at the Expence of the Person or Persons so liable thereto, or at the Expence of such Riding or Ridings, or Division or Divisions, or Part or Parts of any County or City or Town Corporate, so liable thereto, in like manner as heretofore, to all Intents and Purposes whatever, any Thing in this Act to the contrary in anywise notwithstanding; and that all Cities, Towns, Boroughs, Corporations, Rapes, Lathes, Wapentakes, Ports, Parishes, Townships or other Places or Divisions, and all and every Person and Persons and Body or Bodies Politic or Corporate which shall by Law or ancient Usage be bound or obliged to maintain, repair or provide any such Shire Hall, County Hall or other Building or Lodgings as aforesaid, or to furnish and provide the same with Benches, Tables, Rails or other Fixtures or Furniture, and to keep the same in repair, shall continue and be bound and obliged so to do; and all and every Sum and Sums of Money to be laid out in rebuilding, repairing, maintaining, providing or furnishing any Shire Hall, County Hall or other Building or Lodgings as aforesaid, for the rebuilding, repairing, maintaining, providing or furnishing of which any Riding, Division or Part of any County or Shire, City or Town Corporate, Person or Persons, Body or Bodies Politic or Corporate, shall be bound to provide as aforesaid, shall be procured or provided by, assessed and rated on, and levied and collected by such Riding, Division or other Part of such County or Shire, City or Town Corporate, Person or Persons, Body or Bodies Politic or Corporate, and not on the County at large; any Thing hereinbefore contained to the contrary in anywise notwithstanding.

XIV. And

XIV. And be it further enacted, That all the Clauses, Powers and Provisions contained in an Act passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act for consolidating and amending the Laws relating to the building, repairing and regulating of certain Gaols and Houses of Correction in England and Wales*, with relation to the Sale, Purchase and Conveyance of Houses, Lands, Tenements or Hereditaments by any Person or Persons, or Body or Bodies Politic or Corporate, or by any Guardians, Committees, Husbands, Trustees or Attornies of Infants, Lunatics, Idiots or Persons under Coverture or any other Disability, and with relation to the Valuation of such Houses, Lands, Tenements or Hereditaments, and the Application of the Money for such Purchase shall, so far as the same are or can be applicable, be applied and extended to the Sale and Purchase, Conveyance and Valuation of Houses, Lands, Tenements or Hereditaments, for the Purposes of this Act, in as full and ample a Manner to all Intents and Purposes as if such Clauses, Powers and Provisions had been repeated and re-enacted in this Act.

Powers of
4 G. 4. c. 64.
extended to this
Act.

XV. And be it further enacted, That in case it shall appear to the Justices of the Peace assembled at any General or Quarter Session of the Peace holden for any County, Riding or Division, that by reason of any Shire Hall, County Hall or other Building or Lodgings as aforesaid, for such County, Riding or Division, having been lately built or considerably enlarged, any other Shire Hall, County Hall or other Building or Lodgings within such County, Riding or Division, shall have become unnecessary, it shall be lawful for such Justices, or for the Justices assembled at the then next General or Quarter Sessions to be holden for the same County, Riding or Division, and they are hereby authorized, empowered and required to order Notice to be given Three Times at least in some public Newspaper circulating in such County, Riding or Division, that the Propriety of selling such unnecessary Shire Hall, County Hall or other Building or Lodgings as aforesaid, will be taken into consideration at the next ensuing General or Quarter Sessions; and in case the Justices at such last mentioned Session or the Majority of them shall resolve that such unnecessary Shire Hall, County Hall or other Building or Lodgings ought to be sold, then and in such Case it shall be lawful for such Justices, and they are hereby authorized and empowered to take such Measures for selling such Shire Hall, County Hall or other Building or Lodgings, together with all Outhouses, Land, Tenements and Hereditaments to the same belonging, (unless such Building, Outhouses, Land, Tenements or Hereditaments, or any Part thereof, shall be the Property of His Majesty, His Heirs or Successors, or of any City or Town Corporate, Body or Bodies Politic or Corporate, or of any private Individual,) for the best Price or Prices that can be obtained for the same, either by public Auction or private Contract, and subject to such Conditions and in such manner as such Justices shall think proper.

Sale of former
Shire Halls or
Lodgings.

Notice of sell-
ing the same.

XVI. And be it further enacted, That whenever a Sale of any Shire Hall, County Hall or other Building or Lodgings as aforesaid, shall be made pursuant to the Directions in this Act contained, the Purchase Money for the same shall be paid to the Treasurer of such County, Riding or Division, and it shall be lawful

Shire Halls,
&c. when sold,
to be conveyed
by the Trustees,
&c. to Pur-
chaser.

lawful for the Trustees or Trustee (if any) of every such Shire Hall, County Hall or other Building or Lodgings as aforesaid; together with the Clerk of the Peace of such County, Riding or Division, to convey such Shire Hall, County Hall or other Building or Lodgings as aforesaid, with the Outhouses, Land, Tenements and Hereditaments thereto belonging, unto and to the Use of the Purchaser thereof, and to the Heirs and Assigns of such Purchaser, or to such Uses as such Purchaser or Purchasers shall direct or appoint; and every such Conveyance, together with the Treasurer's Receipt for the Purchase Money, shall give a good and valid Title to the Purchaser; and the Purchase Money shall be applied by the Treasurer towards discharging the Expence which shall have been incurred in Building, enlarging or improving any Shire Hall, County Hall or other Building or Lodgings as aforesaid for the same County, Riding or Division, or in aid of any Rate of such County, Riding or Division, as the Justices of the Peace for such County, Riding or Division, in General or Quarter Session assembled, shall direct.

Application of
Purchase
Money.

Clerk of the
Peace may con-
vey.

† Sic.

No Enrolment
of Bargain and
Sale necessary.

Powers of
5 G. 4. c. 12.
applied to this
Act.

Not to author-
ize Sale of
Halls belonging
to Cities, &c.

XVII. Provided always, and be it further enacted, That whenever, in the Event of any Sale being agreed upon in pursuance of this Act, it shall appear to the Justices by whom the Resolution for making such Sale shall be entered into, that the Lands, Tenements or Hereditaments to be sold have never been vested in any Trustee or Trustees, or that the Trustee or Trustees thereof are dead, and that there is Difficulty in ascertaining the surviving Trustee, or the Heir or Heirs of such surviving Trustee, † it shall appear that such Heir or Heirs is or are under any Disability, then and in any such Case it shall be lawful for the said Justices to order that a Conveyance of such Lands, Tenements or Hereditaments shall be made and executed by the Clerk of the Peace to the Purchaser thereof, and in such Case a Conveyance thereof by the Clerk of the Peace, by Indenture of Bargain and Sale (of which no Enrolment shall be necessary), shall be valid and effectual to all Intents and Purposes.

XVIII. And be it further enacted, That all the Powers and Provisions contained in an Act of the Fifth Year of the Reign of His present Majesty, intituled *An Act to facilitate, in those Counties which are Divided into Ridings or Divisions, the Execution of an Act of the last Session of Parliament, for consolidating and amending the Laws relating to the building, repairing and regulating of certain Gaols and Houses of Correction in England and Wales*, shall extend to the several Matters and Things required by this Act to be done by the Justices of the Peace at any General Quarter Session of the Peace, in as full and ample a Manner as if the same had been inserted in and made Part of this Act.

XIX. Provided always, and be it further enacted, That the Powers in this Act contained shall not extend or be construed to extend to any Halls or other Buildings not belonging to and not being the Property of Counties, Ridings or Divisions of Counties, or holden in trust for them, but which belong to and are the Property of Cities and Towns Corporate, although such Halls and other Buildings may have been accustomedly made use of for holding the Assizes or Great or other Sessions of the Counties, Ridings or Divisions wherein they are respectively situate.

XX. And

XX. And be it further enacted, That all Fines, Forfeitures and Penalties imposed by this Act shall, on Conviction of the Offender before any one Justice of the Peace within his Jurisdiction, be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of such Justice of the Peace, who is hereby authorized to hear and examine Witnesses on Oath or Affirmation on any Complaint, and to determine the same; and all such Fines, Forfeitures and Penalties shall be paid from time to time to the Treasurer of the County, Riding, Division, District, City, Town or Place for the Time being, and shall be applied and disposed of in aid of any Rate applicable to the Use of any such County, Riding, Division, District, City, Town or Place, and to or for no other Use or Purpose whatsoever; and for want of sufficient Distress the Offender shall be committed to the Common Gaol or House of Correction for any such Term or Time, not exceeding Three Calendar Months, as such Justice shall think proper.

Recovery and Application of Fines and Penalties.

If no Distress, Imprisonment.

XXI. And be it further enacted, That if any Suit or Action shall be prosecuted against any Person for any Thing done in pursuance of this Act, such Person may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done by Authority of this Act; and if a Verdict shall pass for the Defendant, or the Plaintiff shall become nonsuit, or discontinue his or her Action after Issue joined, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff, the Defendant shall recover Treble Costs, and have the like Remedy for the same as any Defendant hath by Law in other Cases; and if a Verdict shall be given for the Plaintiff in any such Action, such Plaintiff shall not have Costs against the Defendant, unless the Judge before whom the Trial shall be, shall certify his Approbation of the Action and of the Verdict obtained thereon.

In Actions for executing Act, General Issue.

Treble Costs.

SCHEDULE (A) to which this Act refers.

FORM of Mortgage and Charge upon the County Rate, for securing Money borrowed.

WE, A. B. One of His Majesty's Justices of the Peace, and Chairman of the Court of Quarter Sessions of the Peace holden at _____ on the _____ Day of _____ for the County, etc. of _____ [as the Case may be], C. D. and E. F. Esquires, Two other of His Majesty's Justices of the Peace acting for the said County, &c. and assembled in the said Court, in pursuance of the Powers to us given by an Act passed in the Seventh Year of the Reign of His Majesty King George the Fourth, intituled, etc. [insert the Title of this Act], do hereby in open Court mortgage and charge all the Rates to be raised within the said County, &c. [as the Case shall be], under the Description of County Rates, by the Laws now in being, with the Payment of the Sum of _____ which G. H. of _____ hath proposed and agreed to lend, and hath now actually advanced and paid towards defraying the Expences of Building, repairing, etc. [as the Case shall be], the Shire Hall, County Hall or other Buildings or Judges' Lodgings, [as the Case shall be], for the said County, etc.; and we do hereby assign the

same unto the said G. H., his Executors, Administrators and Assigns, for securing the Payment of the Sum of
 and Interest for the same after the Rate of *per*
Centum per Annum, and do order the Treasurer for the said County, &c. or other Person [*as the Case shall be*], to pay the Interest of the said Sum of *Half yearly* as the same shall become due, until the Principal shall be discharged, pursuant to the Directions of the said Act.

C A P. LXIV.

An Act for improving the Administration of Criminal Justice
in England. [26th May 1826.]

‘ **W**HEREAS it is expedient to define under what Circumstances Persons may be admitted to Bail in Cases of Felony, and to make better Provision for taking Examinations, Informations, Bailments and Recognizances, and returning the same to the proper Tribunals: And Whereas the technical Strictness of Criminal Proceedings might in many Instances be relaxed, so as to ensure the Punishment of the guilty, without depriving the accused of any just Means of Defence; and the Administration of Justice in that Part of the United Kingdom called *England* might in other Respects be rendered more effectual: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That where any Person shall be taken on a Charge of Felony or Suspicion of Felony, before One or more Justice or Justices of the Peace, and the Charge shall be supported by positive and credible Evidence of the Fact, or by such Evidence as, if not explained or contradicted, shall, in the Opinion of the Justice or Justices, raise a strong Presumption of the Guilt of the Person charged, such Person shall be committed to Prison by such Justice or Justices, in the Manner hereinafter mentioned; but if there shall be only One Justice present, and the whole Evidence given before him shall be such as neither to raise a strong Presumption of Guilt nor to warrant the Dismissal of the Charge, such Justice shall order the Person charged to be detained in Custody, until he or she shall be taken before Two Justices at the least; and where any Person so taken, or any Person in the First Instance taken before Two Justices of the Peace, shall be charged with Felony or on Suspicion of Felony, and the Evidence given in support of the Charge shall, in their Opinion, not be such as to raise a strong Presumption of the Guilt of the Person charged, and to require his or her Committal, or such Evidence shall be adduced on behalf of the Person charged as shall in their Opinion weaken the Presumption of his or her Guilt, but there shall notwithstanding appear to them, in either of such Cases, to be sufficient Ground for judicial Enquiry into his or her Guilt, the Person charged shall be admitted to Bail by such Two Justices, in the Manner hereinafter mentioned: Provided always, that nothing herein contained shall be construed to require any such Justice or Justices to hear Evidence on behalf of any Person so charged as aforesaid,

Who may be
 admitted to Bail
 on a Charge of
 Felony, and
 who may not.
 (3 Ed. 1. c. 15.
 23 H. 6. c. 9.)

aforesaid, unless it shall appear to him or them to be meet and conducive to the Ends of Justice to hear the same.

‘ II. And Whereas it is expedient to amend and extend the Provisions of Two Acts, the First passed in the First and Second Years of the Reign of King *Philip* and Queen *Mary*, intituled *An Act appointing an Order to Justices of Peace for the Bailment of Prisoners*, and the Second passed in the Second and Third Years of the same Reign, intituled *An Act to take Examination of Prisoners suspected of Manslaughter or Felony*;

Be it therefore enacted, That the Two Justices of the Peace, before they shall admit to Bail, and the Justice or Justices, before he or they shall commit to Prison, any Person arrested for Felony or on Suspicion of Felony, shall take the Examination of such Person, and the Information upon Oath of those who shall know the Facts and Circumstances of the Case, and shall put the same, or as much thereof as shall be material, into Writing; and the Two Justices shall certify such Bailment in Writing; and every such Justice shall have Authority to bind by Recognizance all such Persons as know or declare any Thing material touching any such Felony or Suspicion of Felony, to appear at the next Court of Oyer and Terminer, or Gaol Delivery, or Superior Criminal Court of a County Palatine, or Great Sessions or Sessions of the Peace, at which the Trial thereof is intended to be, then and there to prosecute or give Evidence against the Party accused; and such Justices and Justice respectively shall subscribe all such Examinations, Informations, Bailments and Recognizances, and deliver or cause the same to be delivered to the proper Officer of the Court in which the Trial is to be, before or at the Opening of the Court.

How Justices are to proceed before any Person charged with Felony, &c. shall be bailed or committed.

Examinations, &c. to be delivered to Court.

III. And be it further enacted, That every Justice of the Peace before whom any Person shall be taken on a Charge of Misdemeanor, or Suspicion thereof, shall take the Examination of the Person charged, and the Information upon Oath of those who shall know the Facts and Circumstances of the Case, and shall put the same, or as much thereof as shall be material, into Writing; before he shall commit to Prison or require Bail from the Person so charged; and in every Case of Bailment shall certify the Bailment in Writing; and shall have Authority to bind all Persons by Recognizance to appear to prosecute or give Evidence against the Party accused, in like manner as in Cases of Felony; and shall subscribe all Examinations, Informations, Bailments and Recognizances, † deliver or cause the same to be delivered to the proper Officer of the Court in which the Trial is to be, before or at the Opening of the Court, in like Manner as in Cases of Felony.

Duty of Justice on Charges of Misdemeanor.

† Sic.

IV. And be it further enacted, That every Coroner, upon any Inquisition before him taken, whereby any Person shall be indicted for Manslaughter or Murder, or as an Accessory to Murder before the Fact, shall put in Writing the Evidence given to the Jury before him, or as much thereof as shall be material; and shall have Authority to bind by Recognizance all such Persons as know or declare any Thing material touching the said Manslaughter or Murder, or the said Offence of being accessory to Murder, to appear at the next Court of Oyer and Terminer, or Gaol Delivery, or Superior Criminal Court of a County Palatine or Great Sessions,

Duty of Coroner. (1 & 2 P. & M. c.13. § 5.)

at which the Trial is to be, then and there to prosecute or give Evidence against the Party charged, and every such Coroner shall certify and subscribe the same Evidence, and all such Recognizances, and also the Inquisition before him taken, and shall deliver the same to the proper Officer of the Court in which the Trial is to be, before or at the Opening of the Court.

Justices and
Coroners off-
fending.

V. And be it further enacted, That if any Justice or Coroner shall offend in any Thing contrary to the true Intent and Meaning of these Provisions, the Court to whose Officer any such Examination, Information, Evidence, Bailment, Recognizance or Inquisition ought to have been delivered, shall, upon Examination and Proof of the Offence in a summary Manner, set such Fine upon every such Justice or Coroner as the Court shall think meet.

Penalty.

Provisions to
apply to all
Justices and
Coroners.

VI. And be it further enacted, That all these Provisions relating to Justices and Coroners shall apply to the Justices and Coroners not only of Counties at large, but also of all other Jurisdictions.

S. W. & M.
c. 9, § 2.

VII. And Whereas divers Statutes, taking away the Benefit of Clergy, or creating Felonies without Benefit of Clergy, have omitted to take away the Benefit of Clergy under certain Circumstances consequent upon the Indictment of the Offender: And Whereas a partial Remedy for such Defects was supplied by an Act passed in the Third Year of the Reign of King William and Queen Mary, intituled *An Act to take away Clergy from some Offenders, and to bring other to Punishment*, whereby it was enacted, that if any Person should be indicted of any Offence for which, by virtue of any former Statute, such Person was excluded from the Benefit of Clergy, if convicted by Verdict or Confession, such Person should not be admitted to the Benefit of Clergy under any of the Circumstances therein enumerated: And Whereas it is expedient to extend the like Remedy to all Offences which now are or hereafter shall be excluded from the Benefit of Clergy: Be it therefore enacted, That if any Person shall be indicted of any Offence for which, by virtue of this or of any other Statute or Statutes made or to be made, the Offender is or shall be excluded from the Benefit of Clergy, such Person shall be equally excluded from the Benefit of Clergy, whether he or she shall be convicted by Verdict or by Confession, or shall upon Arraignment stand mute of Malice, or will not answer directly to the Charge, or shall challenge peremptorily above the Number of Twenty Persons returned to be of the Jury, or shall be outlawed upon such Indictment, although the Statute or Statutes taking away the Benefit of Clergy in any such Case may not expressly provide that the Offender shall be excluded from the Benefit of Clergy in case such Offender shall confess, or stand mute, or not answer directly, or challenge peremptorily above the Number of Twenty Persons returned to be of the Jury, or be outlawed; and every Thing herein contained shall extend as well to all Accessories as to Principals.

Felonies with-
out Benefit of
Clergy pro-
vided for under
all Circum-
stances conse-
quent on In-
dictment.
(S. W. & M.
c. 9, § 2.
12 G. 3, c. 20.)

Extended to
Accessories.

The like as to
Felonies within
Benefit of
Clergy.
(12 G. 3, c. 20.)

VIII. And with regard to clergyable Felonies: Be it enacted, That if any Person shall be indicted of any Felony for which the Offender is or shall be entitled to the Benefit of Clergy, and such Person shall on Arraignment confess the Felony, or stand mute of Malice, or will not answer directly to the Charge, or shall challenge peremptorily above the Number of Twenty Persons returned

to be of the Jury, or shall be outlawed upon such Indictment, in every such Case such Person shall be deemed and taken to be convicted of the Felony, and the Court shall award such Judgment as if such Person had been convicted by Verdict; and every Thing herein contained shall extend as well to all Accessories as to Principals.

Extended to Accessories.

IX. And for the more effectual Prosecution of Accessories before the Fact to Felony; Be it enacted, That if any Person shall counsel, procure or command any other Person to commit any Felony, whether the same be a Felony at Common Law, or by virtue of any Statute or Statutes made or to be made, the Person so counselling, procuring or commanding shall be deemed guilty of Felony, and may be indicted and convicted, either as an Accessory before the Fact to the principal Felony, together with the principal Felon, or after the Conviction of the principal Felon, or may be indicted and convicted of a substantive Felony, whether the principal Felon shall or shall not have been previously convicted, or shall or shall not be amenable to Justice, and may be punished in the same Manner as any Accessory before the Fact to the same Felony, if convicted as an Accessory, may be punished; and the Offence of the Person so counselling, procuring or commanding, howsoever indicted, may be inquired of, tried, determined and punished by any Court which shall have Jurisdiction to try the principal Felon, in the same Manner as if such Offence had been committed at the same Place as the principal Felony, although such Offence may have been committed either on the High Seas or at any Place on Land, whether within His Majesty's Dominions or without; and that in case the principal Felony shall have been committed within the Body of any County, and the Offence of counselling, procuring or commanding shall have been committed within the Body of any other County, the last mentioned Offence may be inquired of, tried, determined and punished in either of such Counties: Provided always, that no Person who shall be once duly tried for any such Offence, whether as an Accessory before the Fact or as for a substantive Felony, shall be liable to be again indicted or tried for the same Offence.

How Accessory before the Fact may be tried.
(43 G.3. c.113. §5.)

If Offences committed in different Counties, Accessory may be tried in either.
(2 & 3 Ed.6. c.24. § 4.
43 G.3. c.113. § 5.)
Only one Trial.

X. And for the more effectual Prosecution of Accessories after the Fact to Felony; Be it enacted, That if any Person shall become an Accessory after the Fact to any Felony, whether the same be Felony at Common Law, or by virtue of any Statute or Statutes made or to be made, the Offence of such Person may be inquired of, tried, determined and punished by any Court which shall have Jurisdiction to try the principal Felon, in the same Manner as if the Act, by reason whereof such Person shall have become an Accessory, had been committed at the same Place as the principal Felony, although such Act may have been committed either on the High Seas or at any Place on Land, whether within His Majesty's Dominions or without; and that in case the principal Felony shall have been committed within the Body of any County, and the Act by reason whereof any Person shall have become Accessory shall have been committed within the Body of any other County, the Offence of such Accessory may be inquired of, tried, determined and punished in either of such Counties: Provided always, that no Person who shall be once duly

How Accessory after the Fact may be tried.

If Offences be committed in different Counties, Accessory may be tried in either.
(2 & 3 Ed.6. c.24. § 4.)

tried for any Offence of being an Accessory shall be liable to be again indicted or tried for the same Offence.

Accessory may be prosecuted after Conviction of Principal, though the Principal be not attainted, &c.
(1 Ann. st. 2. c. 9. § 1.)

‘ XI. And in order that all Accessories may be convicted and punished in Cases where the principal Felon is not attainted ;’ Be it enacted, That if any principal Offender shall be in anywise convicted of any Felony, it shall be lawful to proceed against any Accessory, either before or after the Fact, in the same Manner as if such principal Felon had been attainted thereof, notwithstanding such principal Felon shall die or be admitted to the Benefit of Clergy, or pardoned, or otherwise delivered before Attainder ; and every such Accessory shall suffer the same Punishment, if he or she be in anywise convicted, as he or she should have suffered if the Principal had been attainted.

Offences committed on Boundaries of Counties may be tried in either County.
(59 G. 3. c. 96. §. 2.)

‘ XII. And for the more effectual Prosecution of Offences committed near the Boundaries of Counties, or partly in one County, and partly in another ;’ Be it enacted, That where any Felony or Misdemeanor shall be committed on the Boundary or Boundaries of Two or more Counties, or within the Distance of Five hundred Yards of any such Boundary or Boundaries, or shall be begun in one County and completed in another, every such Felony or Misdemeanor may be dealt with, inquired of, tried, determined and punished in any of the said Counties, in the same Manner as if it had been actually and wholly committed therein.

Offences committed during a Journey or Voyage may be tried in any County through which the Coach, &c. passed.
(59 G. 3. c. 27. and c. 96.)
Proviso.

‘ XIII. And for the more effectual Prosecution of Offences committed during Journeys from Place to Place ;’ Be it enacted, That where any Felony or Misdemeanor shall be committed on any Person or on or in respect of any Property in or upon any Coach, Waggon, Cart or other Carriage whatever employed in any Journey, or shall be committed on any Person or on or in respect of any Property on board any Vessel whatever employed on any Voyage or Journey upon any Navigable River, Canal or inland Navigation, such Felony or Misdemeanor may be dealt with, inquired of, tried, determined and punished in any County through any Part whereof such Coach, Waggon, Cart, Carriage or Vessel shall have passed in the Course of the Journey or Voyage during which such Felony or Misdemeanor shall have been committed, in the same Manner as if it had been actually committed in such County ; and in all Cases where the Side, Centre or other Part of any Highway, or the Side, Bank, Centre or other Part of any such River, Canal or Navigation shall constitute the Boundary of any Two Counties, such Felony or Misdemeanor may be dealt with, inquired of, tried, determined and punished in either of the said Counties through or adjoining to or by the Boundary of any Part whereof such Coach, Waggon, Cart, Carriage or Vessel shall have passed, in the Course of the Journey or Voyage during which such Felony or Misdemeanor shall have been committed, in the same Manner as if it had been actually committed in such County.

How Indictments for Offences committed on the Property of Partners

‘ XIV. And in order to remove the Difficulty of stating the Names of all the Owners of Property in the Case of Partners and other Joint Owners ;’ Be it enacted, That in any Indictment or Information for any Felony or Misdemeanor, wherein it shall be requisite to state the Ownership of any Property whatsoever, whether Real or Personal, which shall belong to or be in the Possession of more than one Person, whether such Persons be Partners
in

in Trade, Joint Tenants, Parceners or Tenants in Common, it shall be sufficient to name One of such Persons, and to state such Property to belong to the Person so named, and another or others, as the Case may be; and whenever, in any Indictment or Information for any Felony or Misdemeanor, it shall be necessary to mention, for any Purpose whatsoever, any Partners, Joint Tenants, Parceners or Tenants in Common, it shall be sufficient to describe them in the Manner aforesaid; and this Provision shall be construed to extend to all Joint Stock Companies and Trustees.

may be laid.
(56 G.3. c.79.
1 G.4. c.102.
6 G.4. c.56.)

'XV. And with respect to the Property of Counties, Ridings and Divisions;' Be it enacted, That in any Indictment or Information for any Felony or Misdemeanor committed in, upon or with respect to any Bridge, Court, Gaol, House of Correction, Infirmary, Asylum or other Building erected or maintained in whole or in part at the Expence of any County, Riding or Division, or on or with respect to any Goods or Chattels whatsoever, provided for or at the Expence of any County, Riding or Division, to be used for making, altering or repairing any Bridge, or any Highway at the Ends thereof, or any Court or other such Building as aforesaid, or to be used in or with any such Court or other Building, it shall be sufficient to state any such Property, Real or Personal, to belong to the Inhabitants of such County, Riding or Division; and it shall not be necessary to specify the Names of any of such Inhabitants.

How Property
belonging to
Counties, &c.
may be laid.
(43 G.3. c.59.
§ 3.)

'XVI. And with respect to the Property of Parishes, Townships and Hamlets;' Be it enacted, That in any Indictment or Information for any Felony or Misdemeanor committed in, upon or with respect to any Workhouse or Poorhouse, or on or with respect to any Goods or Chattels whatsoever, provided for the Use of the Poor of any Parish or Parishes, Township or Townships, Hamlet or Hamlets, Place or Places, or to be used in any Workhouse or Poorhouse in or belonging to the same, or by the Master or Mistress of such Workhouse or Poorhouse, or by any Workmen or Servants employed therein, it shall be sufficient to state any such Property to belong to the Overseers of the Poor for the Time being of such Parish or Parishes, Township or Townships, Hamlet or Hamlets, Place or Places, and it shall not be necessary to specify the Names of all or any of such Overseers; and in any Indictment or Information for any Felony or Misdemeanor committed on or with respect to any Materials, Tools or Implements provided for making, altering or repairing any Highway within any Parish, Township, Hamlet or Place, otherwise than by the Trustees or Commissioners of any Turnpike Road, it shall be sufficient to aver that any such Things are the Property of the Surveyor or Surveyors of the Highways for the Time being of such Parish, Township, Hamlet or Place, and it shall not be necessary to specify the Name or Names of any such Surveyor or Surveyors.

How Property
ordered for the
Use of the
Poor of
Parishes, &c.
may be laid.
(55 G.3. c.157.
§ 1.)

How Materials,
&c. for repair-
ing Highways
may be laid.

'XVII. And with respect to Property under Turnpike Trusts;' Be it enacted, That in any Indictment or Information for any Felony or Misdemeanor committed on or with respect to any House, Building, Gate, Machine, Lamp, Board, Stone, Post, Fence or other Thing erected or provided in pursuance of any Act of Parliament for making any Turnpike Road, or any of the Conveniences or Appurtenances thereunto respectively belonging, or

How Property
of Turnpike
Trusts may
be laid.
(3 G.4. c.126.
§ 60.)

any Materials, Tools or Implements provided for making, altering or repairing any such Road, it shall be sufficient to state any such Property to belong to the Trustees or Commissioners of such Road, and it shall not be necessary to specify the Names of any of such Trustees or Commissioners.

How in Indictments for Offences committed on Sewers, the Property may be laid.

‘ XVIII. And with respect to Property under Commissioners of ‘ Sewers ;’ Be it enacted, That in any Indictment or Information for any Felony or Misdemeanor committed on or with respect to any Sewer or other Matter within or under the View, Cognizance or Management of any Commissioners of Sewers, it shall be sufficient to state any such Property to belong to the Commissioners of Sewers within or under whose View, Cognizance or Management any such Things shall be, and it shall not be necessary to specify the Names of any of such Commissioners.

Indictment not to abate by dilatory Plea of Misnomer, &c.

‘ XIX. And for preventing Abuses from dilatory Pleas ;’ Be it enacted, That no Indictment or Information shall be abated by reason of any dilatory Plea of Misnomer or of want of Addition, or of wrong Addition of the Party offering such Plea, if the Court shall be satisfied by Affidavit or otherwise of the Truth of such Plea ; but in such Case the Court shall forthwith cause the Indictment or Information to be amended according to the Truth, and shall call upon such Party to plead thereto, and shall proceed as if no such dilatory Plea had been pleaded.

What Defects shall not vitiate an Indictment after Verdict or otherwise.

‘ XX. And that the Punishment of Offenders may be less frequently intercepted in consequence of technical Niceties ;’ Be it enacted, That no Judgment upon any Indictment or Information for any Felony or Misdemeanor, whether after Verdict or Outlawry, or by Confession, Default or otherwise, shall be stayed or reversed for want of the Averment of any Matter unnecessary to be proved, nor for the Omission of the Words “ as appears by the Record,” or of the Words “ with Force and Arms,” or of the Words “ against the Peace,” nor for the Insertion of the Words “ against the Form of the Statute,” instead of the Words “ against the Form of the Statutes,” or *vice versa*, nor for that any Person or Persons mentioned in the Indictment or Information is or are designated by a Name of Office or other descriptive Appellation instead of his, her or their proper Name or Names, nor for omitting to state the Time at which the Offence was committed, in any Case where Time is not of the Essence of the Offence, nor for stating the Time imperfectly, nor for stating the Offence to have been committed on a Day subsequent to the finding of the Indictment or exhibiting the Information, or on an impossible Day, or on a Day that never happened, nor for want of a proper or perfect Venue, where the Court shall appear by the Indictment or Information to have had Jurisdiction over the Offence.

What shall not be sufficient to stay or reverse Judgment after the Verdict.

XXI. And be it further enacted, That no Judgment after Verdict upon any Indictment or Information for any Felony or Misdemeanor shall be stayed or reversed for want of a Similitur, nor by reason that the Jury Process has been awarded to a wrong Officer upon an insufficient Suggestion, nor for any Misnomer or Misdescription of the Officer returning such Process, or of any of the Jurors, nor because any Person has served upon the Jury who has not been returned as a Juror by the Sheriff or other Officer ; and that where the Offence charged has been created by any Statute, or sub-
jected

jected to a greater Degree of Punishment, or excluded from the Benefit of Clergy by any Statute, the Indictment or Information shall after Verdict be held sufficient to warrant the Punishment prescribed by the Statute if it describe the Offence in the Words of the Statute.

‘ XXII. And with regard to the Payment of the Expences of Prosecutions for Felony;’ Be it enacted, That the Court before which any Person shall be prosecuted or tried for any Felony is hereby authorized and empowered, at the Request of the Prosecutor or of any other Person, who shall appear on Recognizance or Subpoena to prosecute or give Evidence against any Person accused of any Felony, to order Payment unto the Prosecutor of the Costs and Expences which such Prosecutor shall incur in preferring the Indictment, and also Payment to the Prosecutor and Witnesses for the Prosecution, of such Sums of Money as to the Court shall seem reasonable and sufficient to reimburse such Prosecutor and Witnesses for the Expences they shall have severally incurred in attending before the examining Magistrate or Magistrates and the Grand Jury, and in otherwise carrying on such Prosecution, and also to compensate them for their Trouble and Loss of Time therein; and, although no Bill of Indictment be preferred, it shall still be lawful for the Court, where any Person shall, in the Opinion of the Court, *bond fide* have attended the Court in obedience to any such Recognizance or Subpoena, to order Payment unto such Person of such Sum of Money as to the Court shall seem reasonable and sufficient to reimburse such Person for the Expences which he or she shall have *bond fide* incurred by reason of attending before the examining Magistrate or Magistrates, and by reason of such Recognizance or Subpoena, and also to compensate such Person for Trouble and Loss of Time; and the Amount of the Expences of attending before the examining Magistrate or Magistrates, and the Compensation for Trouble and Loss of Time therein, shall be ascertained by the Certificate of such Magistrate or Magistrates, granted before the Trial or Attendance in Court, if such Magistrate or Magistrates shall think fit to grant the same; and the Amount of all the other Expences and Compensation shall be ascertained by the proper Officer of the Court, subject nevertheless to the Regulations to be established in the Manner hereinafter mentioned.

Courts may order Payment of Expences of Prosecutions in all Cases of Felony.
(58 G. 3. c. 70. § 4.)

Allowance to Persons attending on Recognizance, where no Bill is preferred.
(18 G. 3. c. 19. § 8.)

‘ XXIII. And Whereas for want of Power in the Court to order Payment of the Expences of any Prosecution for a Misdemeanor, many Individuals are deterred by the Expence from prosecuting Persons guilty of Misdemeanors, who thereby escape the Punishment due to their Offences;’ For Remedy thereof, be it enacted, That where any Prosecutor or other Person shall appear before any Court on Recognizance or Subpoena, to prosecute or give Evidence against any Person indicted of any Assault with intent to commit Felony, of any Attempt to commit Felony, of any Riot, of any Misdemeanor for receiving any stolen Property, knowing the same to have been stolen, of any Assault upon a Peace Officer in the Execution of his Duty, or upon any Person acting in aid of such Officer, of any Neglect or Breach of Duty as a Peace Officer, of any Assault committed in pursuance of any Conspiracy to raise the Rate of Wages, of knowingly and designedly obtaining any Property

Courts may order Payment of Expences of Prosecution in certain Cases of Misdemeanor.

Property by false Pretences, of wilful and indecent Exposure of the Person, of wilful and corrupt Perjury or of Subornation of Perjury, every such Court is hereby authorized and empowered to order Payment of the Costs and Expences of the Prosecutor and Witnesses for the Prosecution, together with a Compensation for their Trouble and Loss of Time, in the same Manner as Courts are hereinbefore authorized and empowered to order the same in Cases of Felony; and, although no Bill of Indictment be preferred, it shall still be lawful for the Court where any Person shall have *bonâ fide* attended the Court, in obedience to any such Recognition, to order Payment of the Expences of such Person, together with a Compensation for his or her Trouble and Loss of Time, in the same Manner as in Cases of Felony: Provided, that in Cases of Misdemeanor the Power of ordering the Payment of Expences and Compensation shall not extend to the Attendance before the Examining Magistrate.

Proviso.

Order for Payment to be made out by Clerk of Assize, &c. and paid by County Treasurer.
(58 G.S. c. 70.
§ 6.
18 G.S. c. 19.
§ 8.)

XXIV. And be it further enacted, That every Order for Payment to any Prosecutor or other Person as aforesaid shall be forthwith made out and delivered by the proper Officer of the Court unto such Prosecutor or other Person, upon being paid for the same the Sum of One Shilling for the Prosecutor and Sixpence for each other Person, and no more; and, except in the Cases hereinafter provided for, shall be made upon the Treasurer of the County, Riding or Division in which the Offence shall have been committed, or shall be supposed to have been committed, who is hereby authorized and required, upon Sight of every such Order, forthwith to pay to the Person named therein, or to any One duly authorized to receive the same on his or her Behalf, the Money in such Order mentioned, and shall be allowed the same in his Accounts.

‘ XXV. And Whereas Felonies and such Misdemeanors as are
‘ hereinbefore enumerated may be committed in Liberties, Franchises, Cities, Towns and Places which do not contribute to the
‘ Payment of any County Rate, some of which raise a Rate in the
‘ Nature of a County Rate, and others have neither any such Rate
‘ nor any Fund applicable to similar Purposes, and it is just that
‘ such Liberties, Franchises, Cities, Towns and Places should be
‘ charged with all Costs, Expences and Compensations ordered
‘ by virtue of this Act, in respect of Felonies and such Misdemeanors committed therein respectively;’ Be it therefore enacted,
That all Sums directed to be paid by virtue of this Act, in respect of Felonies and of such Misdemeanors as aforesaid, committed or supposed to have been committed in such Liberties, Franchises, Cities, Towns and Places, shall be paid out of the Rate in the Nature of a County Rate, or out of any Fund applicable to similar Purposes, where there is such a Rate or Fund, by the Treasurer or other Officer having the Collection or Disbursement of such Rate or Fund; and where there is no such Rate or Fund in such Liberties, Franchises, Cities, Towns or Places, shall be paid out of the Rate or Fund for the Relief of the Poor of the Parish, Township, District or Precinct therein, where the Offence was committed or supposed to have been committed, by the Overseers or other Officers having the Collection or Disbursement of such last mentioned Rate or Fund; and the Order of Court shall in every

How Expences shall be paid in Places not contributing to the County Rate.
(58 G.S. c. 70.
§ 9. & 10.)

every such Case be directed to such Treasurer, Overseers or other Officers respectively, instead of the Treasurer of the County, Riding or Division, as the Case may require.

‘XXVI. And for the better Regulation of Costs and Expences in the Cases aforesaid, and for preventing Abuses in respect thereof;’ Be it enacted, That it shall be lawful for the Justices of the Peace of any County, Riding or Division, or of any Liberty, Franchise, City, Town or Place chargeable with Costs and Expences under the Provision aforesaid, in Quarter Sessions assembled, to establish, and from time to time to alter such Regulations as to the Rate of any Costs and Expences thereafter to be allowed by virtue of this Act, as to them shall seem just and reasonable; which Regulations having received the Approbation and Signature of One Justice of Gaol Delivery or of Great Sessions for the County wherein any such Regulations shall have been established, shall be binding on all Persons whatsoever.

Quarter Sessions to make Regulations as to Costs and Expences.
(18 G.S. c.12. § 9.)

‘XXVII. And for enabling the High Court of Admiralty to order the Payment of the Costs and Expences of Prosecutors and Witnesses, and Compensation for their Trouble and Loss of Time, in Cases in which other Courts have a like Power under this Act;’ Be it enacted, That it shall be lawful for the Judge of the said Court of Admiralty, in every Case of Felony and in every Case of Misdemeanor of the Denominations hereinbefore enumerated, committed upon the High Seas, to order the Assistant to the Counsel for the Affairs of the Admiralty and Navy to pay such Costs, Expences and Compensation to Prosecutors and Witnesses, in like manner as other Courts may order the Treasurer of the County to pay the same; and such Assistant is hereby authorized and required, upon Sight of every such Order, forthwith to pay to the Person named therein, or to any One duly authorized to receive the same on his or her Behalf, the Money in such Order mentioned, and shall be allowed the same in his Accounts.

Proviso for Payment of Expences in Prosecutions in Court of Admiralty.

‘XXVIII. And for the better Remuneration of Persons who have been active in the Apprehension of certain Offenders;’ Be it enacted, That where any Person shall appear to any Court of Oyer and Terminer, Gaol Delivery, Superior Criminal Court of a County Palatine or Court of Great Sessions, to have been active in or towards the Apprehension of any Person charged with Murder, or with feloniously and maliciously shooting at, or attempting to discharge any Kind of loaded Fire Arms at any other Person, or with stabbing, cutting or poisoning, or with administering any Thing to procure the Miscarriage of any Woman, or with Rape, or with Burglary or felonious Housebreaking, or with Robbery on the Person, or with Arson, or with Horsestealing, Bullockstealing or Sheepstealing, or with being accessory before the Fact to any of the Offences aforesaid, or with receiving any Stolen Property knowing the same to have been stolen, every such Court is hereby authorized and empowered, in any of the Cases aforesaid, to order the Sheriff of the County in which the Offence shall have been committed to pay to the Person or Persons, who shall appear to the Court to have been active in or towards the Apprehension of any Person charged with any of the said Offences, such Sum or Sums of Money as to the Court shall seem reasonable and sufficient to compensate such Person or Persons

Courts may order Compensation to those who have been active in the Apprehension of certain Offenders.
(4 W. & M. c.8. § 1.
10 & 11 W.3. c.25. § 1, 2.
5 Ann. c.31. § 1.
14 G.2. c.6.
58 G.3. c.70.
§ 4. & 5.

Persons for his, her or their Expences, Exertions and Loss of Time in or towards such Apprehension; and where any Person shall appear to any Court of Sessions of the Peace to have been active in or towards the Apprehension of any Party charged with receiving Stolen Property knowing the same to have been stolen, such Court shall have Power to order Compensation to such Person in the same Manner as the other Courts hereinbefore mentioned: Provided always, that nothing herein contained shall prevent any of the said Courts from also allowing to any such Persons, if Prosecutors or Witnesses, such Costs, Expences and Compensation, as Courts are by this Act empowered to allow to Prosecutors and Witnesses respectively.

Such Orders to be paid by the Sheriff, who may obtain Repayment on Application to Treasury.

(58 G. 3. c. 70.

§ 5.

3 G. 1. c. 15.

§ 4.)

If any Man is killed in attempting to take certain Offenders, Court may order Compensation to his Family.

(58 G. 3. c. 70.

§ 3.)

XXIX. And be it further enacted, That every Order for Payment to any Person in respect of such Apprehension as aforesaid shall be forthwith made out and delivered by the proper Officer of the Court unto such Person, upon being paid for the same the Sum of Five Shillings and no more; and the Sheriff of the County for the Time being is hereby authorized and required, upon Sight of such Order, forthwith to pay to such Person, or to any One duly authorized on his or her Behalf, the Money in such Order mentioned; and every such Sheriff may immediately apply for Repayment of the same to the Commissioners of His Majesty's Treasury, who upon inspecting such Order, together with the Acquittance of the Person entitled to receive the Money thereon, shall forthwith order Repayment to the Sheriff of the Money so by him paid, without any Fee or Reward whatsoever.

XXX. And be it further enacted, That if any Man shall happen to be killed in endeavouring to apprehend any Person who shall be charged with any of the Offences hereinbefore last mentioned, it shall be lawful for the Court before whom such Person shall be tried to order the Sheriff of the County to pay to the Widow of the Man so killed, in case he shall have been married, or to his Child or Children in case his Wife shall be dead, or to his Father or Mother in case he shall have left neither Wife nor Child, such Sum of Money as to the Court in its Discretion shall seem meet; and the Order for Payment of such Money shall be made out and delivered by the proper Officer of the Court unto the Party entitled to receive the same, or unto some One on his or her Behalf, to be named in such Order by the Direction of the Court; and every such Order shall be paid by and repaid to the Sheriff in the Manner hereinbefore mentioned.

XXXI. And Whereas the Practice of indiscriminately estreating Recognizances for the Appearance of Persons to prosecute or give Evidence, or to answer for a common Assault, or in the other Cases hereinafter specified, has been found in many Instances productive of Hardship to Persons who have entered into the same; Be it therefore enacted, That in every Case where any Person bound by Recognizance for his or her Appearance, or for whose Appearance any other Person shall be so bound to prosecute or give Evidence in any Case of Felony or Misdemeanor, or to answer for any common Assault, or to Articles of the Peace, or to abide an Order in Bastardy, shall therein make Default, the Officer of the Court by whom the Estreats are made out shall and is hereby required to prepare a List in Writing, specifying

Recognizances in certain Cases herein mentioned not to be estreated without a Judge's Order.

specifying the Name of every Person so making Default, and the Nature of the Offence in respect of which every such Person, or his or her Surety, was so bound, together with the Residence, Trade, Profession or Calling of every such Person and Surety, and shall in such List distinguish the Principals from the Sureties, and shall state the Cause, if known, why each such Person has not appeared, and whether by reason of the Nonappearance of such Person the Ends of Justice have been defeated or delayed; and every such Officer shall and is hereby required, before any such Recognizance shall be estreated, to lay such List, if at a Court of Oyer and Terminer or Gaol Delivery in any County besides *Middlesex and London*, or at a Court of Great Sessions, or at One of the superior Courts of the Counties Palatine, before One of the Justices of those Courts respectively; if at a Court wherein a Recorder or other Corporate Officer is the Judge or One of the Judges, before such Recorder or other Corporate Officer; and if at a Session of the Peace, before the Chairman or Two other Justices of the Peace who shall have attended such Court, who are respectively authorized and required to examine such List, and to make such Order touching the estreating or putting in Process of any such Recognizance as shall appear to them respectively to be just; and it shall not be lawful for the Officer of any Court to estreat or put in Process any such Recognizance without the written Order of the Justice, Recorder, Corporate Officer, Chairman or Justices of the Peace before whom respectively such List shall have been laid.

XXXH. And be it further enacted, That from and after the Commencement of this Act so much of a Statute made at *Westminster* in the Third Year of the Reign of King *Edward* the First as provides what Prisoners shall not be replevisable and what shall be so; and a Statute made in the Seventh Year of the Reign of King *Henry* the Fifth; and so much of a Statute made in the Ninth Year of the same Reign as relates to Indictments and Appeals laid in a nonexisting Place; and so much of a Statute made in the Eighteenth Year of the Reign of King *Henry* the Sixth as perpetuates the said Provision of the Statute last referred to; and so much of a Statute made in the Twenty third Year of the same Reign as relates to Sheriffs and other Officers and Ministers therein mentioned letting out of Prison upon Sureties any Person in Custody upon Indictment; and an Act passed in the First Year of the Reign of King *Richard* the Third, intituled *An Act for bailing of Persons suspected of Felony*; and so much of an Act passed in the Third Year of the Reign of King *Henry* the Seventh, intituled *An Act that Justice of the Peace may take Bail*, as relates to Bail or Mainprize; and an Act passed in the Twenty fifth Year of the Reign of King *Henry* the Eighth, intituled *An Act for standing mute, and peremptory Challenge*; and so much of an Act passed in the Thirty second Year of the same Reign, intituled *For the Continuation of Acts*, as perpetuates the said last mentioned Act; and an Act passed in the Second and Third Years of the Reign of King *Edward* the Sixth, intituled *An Act for the Trial of Murders and Felonies in several Counties*; and an Act passed in the Fifth and Sixth Years of the same Reign, intituled *An Act to take away the Benefit of Clergy from such as*

Repeal of the Acts

3 Ed. 1. c. 15.

7 H. 5.

9 H. 5. c. 1.

18 H. 6. c. 12.

23 H. 6. c. 9.
§ 2.

1 R. 3. c. 3.

3 H. 7. c. 3.
§ 2.

25 H. 8. c. 3.

32 H. 8. c. 3.

2 & 3 Ed. 6.
c. 24.

5 & 6 Ed. 6.
c. 10.

rob

- 1 & 2 P. & M. c.13. *rob in one Shire. and fly into another; and an Act passed in the First and Second Years of the Reign of King Philip and Queen Mary, intituled An Act appointing an Order to Justices of Peace for the Bailment of Prisoners; and an Act passed in the Second and Third Years of the same Reign, intituled An Act to take Examination of Prisoners suspected of Mandlaughter or Felony; and an Act passed in the Fourth Year of the Reign of King William and Queen Mary, intituled An Act for encouraging the apprehending of Highwaymen; and so much of an Act passed in the Tenth and Eleventh Years of the Reign of King William, intituled An Act for the better apprehending, prosecuting and punishing of Felons that commit Burglary, Housebreaking or Robbery in Shops, Warehouses, Coach Houses or Stables, or that steal Horses, as relates to the Certificates therein mentioned; and so much of an Act passed in the First Year of the Reign of Queen Anne, intituled An Act for punishing of Accessories to Felonies and Receivers of Stolen Goods, and to prevent the wilful burning and destroying of Ships, as relates to Accessories; and an Act passed in the Sixth Year of the same Reign, intituled An Act for the encouraging the Discovery and apprehending of House-breakers, except the special Provision affecting the Sheriffs and Under Sheriffs of London and Middlesex; and an Act passed in the Sixth Year of the Reign of King George the First, intituled An Act for the further preventing Robbery, Burglary and other Felonies, and for the more effectual Transportation of Felons; and so much of an Act passed in the Twenty fifth Year of the Reign of King George the Second, intituled An Act for the better preventing Thefts and Robberies; and for regulating Places of public Entertainment, and punishing Persons keeping disorderly Houses, as relates to Payments to Prosecutors in Cases of Felony; and so much of an Act passed in the Twenty seventh Year of the same Regn, intituled An Act for the better securing to Constables and others the Expences of conveying Offenders to Gaol, and for allowing the Charges of poor Persons bound to give Evidence against Felons, as relates to the Allowance of Compensation to poor Persons appearing on Recognizance to give Evidence against any One accused of Felony; and so much of an Act passed in the Eighteenth Year of the Reign of King George the Third, intituled An Act for the Payment of Costs to Parties on Complaints determined before Justices of the Peace out of Sessions; for the Payment of the Charges of Constables in certain Cases; and for the more effectual Payment of Charges to Witnesses and Prosecutors of any Larceny or other Felony, as relates to Payments and Allowances to Prosecutors and other Persons appearing on Recognizance or Subpœna to give Evidence as to any Felony, and to Rules and Regulations touching the Costs and Charges to be allowed to such Prosecutors and Persons; and so much of an Act passed in the Forty third Year of the same Reign, intituled An Act for remedying certain Defects in the Laws relative to the building and repairing of County Bridges and other Works maintained at the Expence of the Inhabitants of Counties in England, as relates to laying the Property in the Surveyor of County Bridges in any Indictment; and so much of an Act passed in the same Year, for providing, among other Things, for the more convenient Trial*
- 4 W. & M. c.8.
- c.23. §2, 3. & 4. 10 & 11 W. 3.
- 1 Ann. st.2. c.9. § 1.
- Vulgo, 5Ann. c.31.
- 6 G.1. c.23.
- 25 G.2. c.36. § 11.
- 27 G.2. c.3. § 3.
- 18 G.3. c.19. § 7 & 8.
- 43 G.3. c.59. § 3.
- 43 G.3. c.119. § 5.

Trial of Accessories in Felonies, as relates to the Trial of Accessories, except the Special Provisions therein contained as to Accessories before the Fact in Murder; and an Act passed in the Fifty sixth Year of the same Reign, intituled *An Act for removing Difficulties in the Conviction of Offenders stealing Property from Mines*; and an Act passed in the Fifty eighth Year of the same Reign, intituled *An Act for repealing such Parts of several Acts as allow pecuniary and other Rewards upon the Conviction of Persons for Highway Robbery and other Crimes and Offences; and for facilitating the Means of prosecuting Persons accused of Felony and other Offences*, except so much thereof as relates to disorderly Houses; and an Act passed in the Fifty ninth Year of the same Reign, intituled *An Act to facilitate the Trial of Felonies committed on board Vessels employed on Canals, Navigable Rivers and Inland Navigations*; and another Act passed in the same Year, intituled *An Act to facilitate the Trials of Felonies committed on Stage Coaches and Stage Waggon and other such Carriages, and of Felonies committed on the Boundaries of Counties*; and an Act passed in the First Year of His present Majesty's Reign, for making general the Provisions of the said recited Act of the Fifty sixth Year of the Reign of King George the Third; and so much of an Act passed in the Third Year of the present Reign, intituled *An Act for the further and more adequate Punishment of Persons convicted of Manslaughter, and of Servants convicted of robbing their Masters, and of Accessories before the Fact to Grand Larceny and certain other Felonies*, as provides that Accessories before the Fact may be indicted for a Misdemeanor; and so much of another Act passed in the same Year, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*, as relates to stating in any Indictment any Things to be the Property of the Clerk to the Trustees or Commissioners, as therein mentioned; and an Act passed in the Sixth Year of the present Reign, intituled *An Act to amend Two Acts for removing Difficulties in the Conviction of Offenders stealing Property in Mines and from Corporate Bodies*, shall be and the same are hereby repealed, except so far as any of the said Acts relate to Scotland or Ireland, or repeal the Whole or any Part of any other Acts, and except as to Offences committed before the passing of this Act, which shall be dealt with and punished as if this Act had not been passed.

56 G.3. c.73.

58 G.3. c.70.

59 G.3. c.27.

59 G.3. c.96.

1 G.4. c.102.

3 G.4. c.38.

§ 4.

3 G.4. c.126.

§ 60.

6 G.4. c.56.

Exceptions.

C A P. LXV.

An Act to continue until the First Day of January One thousand eight hundred and twenty seven, and to the End of the next Session of Parliament, an Act of the Third Year of His present Majesty, for regulating the Manner of licensing Alehouses in England. [26th May 1826.]

C A P. LXVI.

An Act to render more effectual the several Acts now in force to promote the Residence of the Parochial Clergy, by making Provision for purchasing Houses and other necessary Buildings for the Use of their Benefices.

[26th May 1826.]

17 G.3. c.53.

§ 10.

21 G.3. c.66.

43 G.3. c.107.

WHEREAS in and by an Act of Parliament passed in the Seventeenth Year of the Reign of His Majesty King George the Third, intituled *An Act to promote the Residence of the Parochial Clergy, by making Provision for the more speedy and effectual building, rebuilding, repairing or purchasing Houses and other necessary Buildings and Tenements for the Use of their Benefices*, it was enacted, that where new Buildings were necessary to be provided or erected for the Habitation and Residence of the Rector, Vicar or other Incumbent of any Ecclesiastical Living, Parochial Benefice, Chapelry or Perpetual Curacy, pursuant to the Authority thereby given, it should be lawful for the Ordinary, Patron and Incumbent of every such Living or Benefice to contract, or to authorize, if they should think fit, the Person to be nominated under the Provisions of the said Act to contract, for the absolute Purchase of any House or Buildings in a Situation convenient for the Habitation and Residence of the Rector, Vicar or other Incumbent of such Living or Benefice, and not at a greater Distance than One Mile from the Church belonging to such Living, and also to contract for any Land adjoining or lying convenient to such House or Building, or to the House or Building belonging to any Parochial Living or Benefice having no Glebe lying near or convenient to the same, not exceeding the Quantity thereby limited, and to cause the Purchase Money for such House or Buildings to be paid out of the Money to arise under the Powers and Authorities of the said Act; in all which Cases the said Buildings and Lands should be conveyed to the Patron of such Living or Benefice, and his Heirs, in Trust for the sole Use and Benefit of the Rector, Vicar or other Incumbent of such Living or Benefice for the Time being, and their Successors, and should be annexed to such Church or Chapel, and be enjoyed and go in succession with the same for ever; but no Contract so made by the Nominee should be valid until confirmed by the Ordinary, Patron and Incumbent, by Writing under their Hands; and every such Purchase Deed was to be in the Form or to the Effect contained in the Schedule to the said Act annexed, and should be registered in such manner and in such Office as other Deeds were thereby directed to be registered: And Whereas an Act was passed in the Twenty first Year of the Reign of His said late Majesty, to explain and amend the said first mentioned Act: And Whereas in and by an Act of Parliament passed in the Forty third Year of His said late Majesty's Reign, intituled *An Act for effectuating certain Parts of an Act passed in the Second and Third Years of the Reign of Her late Majesty Queen Anne, intituled "An Act for the making more effectual*

" effectual Her Majesty's gracious Intentions for the Augmentation
 " of the Maintenance of the Poor Clergy, by enabling Her Majesty
 " to grant in perpetuity the Revenues of the First Fruits and Tenths,
 " and also for enabling any other Persons to make Grants for the
 " same Purpose," so far as the same relate to Deeds and Wills made
 " for granting and bequeathing Lands, Tenements, Hereditaments,
 " Goods and Chattels to the Governors of the Bounty of Queen
 " Anne, for the Purposes in the said Act mentioned; and for en-
 " larging the Powers of the said Governors; it was enacted, that
 " where a Living should have been or should be augmented by
 " the said Governors, either by way of Lot or Benefaction, and
 " there was no Parsonage House suitable for the Residence of
 " the Minister, it should be lawful for the said Governors, and they
 " were thereby empowered, from time to time, in order to promote
 " the Residence of the Clergy on their Benefices, to apply and
 " dispose of the Money appropriated for such Augmentation, and
 " remaining in their Hands, or any Part thereof, in such manner
 " as they should deem most advisable, in or towards the building,
 " rebuilding or repurchasing a House and other proper Erections
 " within the Parish, convenient and suitable for the Residence of
 " the Minister thereof, which House should for ever thereafter be
 " deemed the Parsonage House appertaining to such Living to all
 " Intents and Purposes whatsoever: And Whereas in and by an Act
 " of Parliament passed in the Fifty fifth Year of the Reign of His
 " said late Majesty, intituled *An Act for enabling Spiritual Persons*
 " *to exchange the Parsonage or Glebe Houses or Glebe Lands be-*
 " *longing to their Benefices for others of greater Value, or more con-*
 " *veniently situated for their Residence and Occupation; and for*
 " *annexing such Houses and Lands so taken in Exchange to such*
 " *Benefices, as Parsonage or Glebe Houses and Glebe Lands; and*
 " *for purchasing and annexing Lands to become Glebe in certain*
 " *Cases; and for other Purposes; it was enacted, that from and*
 " *after the passing of the said Act it should be lawful to and for*
 " *any Owner or Owners of any Messuages, Buildings, Lands or*
 " *Hereditaments, whether such Owner or Owners should be a Cor-*
 " *poration Sole or Aggregate, or Tenant or Tenants in Fee Simple;*
 " *or in Fee Tail General or Special, or for Life or Lives, and for*
 " *the Guardians, Trustees or Feoffees for charitable or other Uses,*
 " *Husbands or Committees of or acting for any such Owner or*
 " *Owners as aforesaid, who at the Time of making any Exchange*
 " *or Purchase authorized by the said Act should be respectively*
 " *Infants, Feme Coverts or Lunatics, or under any other legal*
 " *Disability, or otherwise disabled to act for themselves, himself*
 " *or herself, by Deed or Deeds indented, and to be registered as*
 " *therein mentioned, and with such Consent, and to be signified as*
 " *therein mentioned, of such Incumbent and of the Patron and*
 " *Bishop, to grant and convey to any Parson, Vicar or other*
 " *Incumbent for the Time being of any Ecclesiastical Benefice,*
 " *Perpetual Curacy or Parochial Chapelry, any Messuage, Out-*
 " *buildings, Yards, Gardens and Lands, with their Appurtenances,*
 " *or any Messuage or Outbuildings only, or any Lands (with or*
 " *without necessary Outbuildings) only, of such Owner or Owners,*
 " *in lieu of and in exchange for any Parsonage House, Out-*
 " *buildings, Yards, Gardens and Glebe Lands and Pastures,*
 " *7 GEO. IV. U ' Feedings*

§ 3.

55 G.3. c.147.

§ 12.

' Feedings and Rights of Common, or any of them, or any Part
 ' thereof, of or belonging to any such Benefice, Perpetual Curacy
 ' or Parochial Chapelry, or (in Cases of Purchase) to sell and
 ' convey to such Parson, Vicar or other Incumbent, any Lands,
 ' not exceeding in the whole Twenty Statute Acres, with the
 ' necessary Outbuildings thereon, for such Sum or Sums of Money
 ' as should be certified to be the true and just Value of the same
 ' at the Time of such Sale thereof, by a Valuation to be made as
 ' therein directed; which said Sum or Sums of Money to be re-
 ' ceived for the Purchase of any Lands or Hereditaments should,
 ' in all Cases where the Lands or Hereditaments so to be purchased
 ' belonged to any Corporation Sole or Aggregate, Infant, Feme
 ' Covert, Lunatic or Person or Persons under any other Disability
 ' or Incapacity, with all convenient Speed be paid into the Bank
 ' of *England*, in the Name and with the Privy of the Accountant
 ' General of the High Court of Chancery, to such Account, and
 ' applied or laid out in such manner and for such Purposes, and
 ' the Interest and annual Produce thereof to be paid to such Per-
 ' sons, as in and by the said Act appointed and directed: And
 ' Whereas the Provisions of the said last recited Act have been
 ' extended to *Ireland* by an Act passed in the Fourth Year of the
 ' Reign of His present Majesty, intituled *An Act to amend the*
 ' *Laws for collecting Church Rates and Money advanced by the*
 ' *Trustees and Commissioners of the First Fruits of Ecclesiastical*
 ' *Benefices and for the Improvement of Church Lands, in Ireland;*
 ' and also by an Act passed in the Fifth Year of His present
 ' Majesty's Reign, intituled *An Act to amend an Act of the last*
 ' *Session of Parliament, for amending the Laws for the Improve-*
 ' *ment of Church Lands in Ireland:* And Whereas several Acts
 ' were passed in the Fifty sixth Year of the Reign of His said
 ' late Majesty, and in the First and Sixth Years of the Reign of
 ' His present Majesty, to amend the said Act of the Fifty fifth
 ' Year of His late Majesty's Reign: And Whereas the Means
 ' of providing Houses and Buildings for the Residence and Occu-
 ' pation of the Parochial Clergy are still in many Cases insuf-
 ' ficient, by reason that the Powers given to Owners of Houses,
 ' Buildings and Lands, by the said Act of the Fifty fifth Year of
 ' His late Majesty's Reign, if under any Disability or Incapacity
 ' to convey, authorize the Sale of Land only, and the Exchange
 ' only of Houses and Buildings; and that although Power to pur-
 ' chase Houses and Buildings is given by the said Acts of the
 ' Seventeenth and Forty third Years of His late Majesty's Reign,
 ' the Owners thereof, if under any such Disability or Incapacity,
 ' are not empowered to sell and convey the same: Be it there-
 ' fore enacted by the King's most Excellent Majesty, by and with
 ' the Advice and Consent of the Lords Spiritual and Temporal, and
 ' Commons, in this present Parliament assembled, and by the
 ' Authority of the same, That from and after the passing of this
 ' Act it shall and may be lawful to and for any Owner or Owners of
 ' any Messuages, Buildings or Lands, which may be purchased
 ' under the Authority of the said Acts of the Seventeenth and
 ' Forty third and Fifty fifth Years of His late Majesty's Reign, or
 ' either of them, whether such Owner or Owners shall be a Cor-
 ' poration Sole or Aggregate, or Tenant or Tenants in Fee Simple
 ' or in Fee Tail, General or Special, or for Life or Lives, and for the

Extended to
 Ireland by
 4 G.4. c.86.

5 G.4. c.8.

56 G.3. c.52.
 1 G.4. c.6.
 6 G.4. c.8.

Corporations
 and Persons
 under Dis-
 ability or In-
 capacity au-
 thorized to sell
 Messuages,
 Lands, &c. for
 the Purposes of

the Guardians, Trustees or Feoffees for charitable or other Uses, Husbands or Committees of or acting for any such Owner or Owners as aforesaid, who shall be respectively Infants, Feme Coverts or Lunatics, or under any other legal Disability, or otherwise disabled to act for themselves, himself or herself, to sell such Messuages, Buildings and Lands, or any of them, for the Purposes of the said Acts, or either of them, and to convey the same in Manner hereinafter mentioned; and all Messuages, Buildings and Lands, which shall be purchased under the Authority of this Act or of the said Acts of the Seventeenth, Forty third and Fifty fifth Years of His late Majesty's Reign, or either of them, shall be conveyed unto and to the Use of the Parson, Vicar or other Incumbent of the Benefice, Curacy or Chapelry, for the Residence and Occupation of the Parson, Vicar or other Incumbent whereof the same shall be purchased, and shall for ever, from and after the Conveyance thereof, be and become annexed to the same Benefice, Curacy or Chapelry, and be holden and enjoyed by the Parson, Vicar or other Incumbent thereof, and his Successors, accordingly, without any Licence or Writ of Ad quod damnum, the Statute of Mortmain, or any other Statute or Law to the contrary notwithstanding; and a Copy of every such Conveyance of any Messuage, Buildings or Lands, the Purchase Money whereof shall be raised under the Powers of the said Act of the Seventeenth Year of His late Majesty's Reign, shall be registered as by the said Act is directed with respect to Conveyances thereby authorized.

Conveyance to be registered.

II. Provided always, and be it further enacted, That in every Case in which any Messuage, Buildings or Lands shall be sold under the Authority of this Act, by any Owner or Owners having any less Estate or Interest in the same than in Fee Simple, or by any Corporation Aggregate or Sole, or Person or Persons under any legal Disability, a Map and Plan thereof, under an actual Survey and a Valuation thereof, shall be made and taken by some competent Surveyor, and verified upon Oath to be taken before some Justice of the Peace, which Oath any Justice of the Peace is hereby authorized to administer; and such Map, Plan and Valuation, and the Affidavit verifying the same, shall be annexed to and preserved with the Conveyance.

Such Messuages, Lands, &c. to be surveyed, and the Map and Valuation verified on Oath and preserved.

III. Provided also, and be it further enacted, That in every Case in which a Sale and Conveyance shall be made under the Authority of this Act, of any Messuages, Buildings or Lands which shall belong to any Corporation Aggregate or Sole, or Tenant in Fee Tail, General or Special, or for Life or Lives, Infant, Feme Covert, Lunatic or Person or Persons under any other legal Disability, or otherwise disabled to act for themselves, himself or herself, the Purchase Money for the same shall with all convenient Speed be paid into the Bank of *England* or the Bank of *Ireland*, as the Case may be, in the Name and with the Privy of the Accountant General of the High Court of Chancery of *England* or *Ireland*, as the Case may be, to be placed to his Account *ex parte* the Person or Persons or Corporation who would have been entitled to the Rents, Issues and Profits of such Messuages, Buildings or Lands; to the Intent that such Money shall be applied or laid out under the Direction and with the Approbation of the said Court of Chancery of *England* or *Ireland*, (to be signified by an Order to

Application of Purchase Money.

be made upon a Petition to be preferred by or on behalf of the Person or Persons who would have been entitled to the Rents, Issues and Profits of such Messuages, Buildings or Lands,) in the Purchase of the Land Tax, or towards the Payment of any Debts or Incumbrances affecting the same Messuages, Buildings or Land, or other Lands or Hereditaments standing settled to the same or the like Uses, or in the Purchase of other Lands or Hereditaments, to be conveyed, settled and made subject to and for and upon such and the like Uses, Trusts, Limitations and Dispositions, and in the same Manner as the Messuages, Buildings or Lands so purchased as aforesaid stood settled or limited, or such of them as at the Time of making such Purchase and Conveyance shall be existing undetermined and capable of taking effect; and in the mean Time and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery of *England* or *Ireland* upon Application thereto, be invested by the Accountant General in his Name in some One of the Public Funds of *England* or *Ireland*, and the Dividends and Annual Produce thereof shall from time to time be paid, by Order of the said Court, to the Person or Persons who would have been entitled to the Rents, Issues and Profits of the said Messuages, Buildings or Lands, in case no Purchase and Conveyance thereof had been made under the Provisions of this Act.

C A P. LXVII.

An Act to regulate the Mode in which certain Societies or Copartnerships for Banking in *Scotland* may sue and be sued. [26th May 1826.]

‘ **W**HEREAS the Practice has prevailed in *Scotland* of instituting Societies possessing Joint Stocks, the Shares of which are either conditionally or unconditionally transferable, for the Purpose of carrying on the Business of Banking; and it is expedient that every such Society or Copartnership should be enabled to sue and be sued in the Name of its Manager, Cashier or other principal Officer;’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for every such Joint Stock Society or Copartnership, already established or that may hereafter be established in *Scotland* for the Purposes of Banking, to sue and be sued in the Name of the Manager, Cashier or other principal Officer of such Society or Copartnership, provided that such Joint Stock Society or Copartnership shall observe the Regulations prescribed by this Act.

II. And be it further enacted, That every such Joint Stock Society or Copartnership already formed shall between the Twenty fifth Day of *May* and the Twenty fifth Day of *July* in this and each succeeding Year, and every such Joint Stock Society or Copartnership hereafter to be formed, shall, before such Joint Stock Society or Copartnership shall begin to carry on business, and thereafter in each succeeding Year, between the said Twenty fifth Day of *May* and the Twenty fifth Day of *July*, cause an Account

How Banking Copartnerships in *Scotland* may sue and be sued.

Such Societies shall yearly deliver, at Stamp Office in *Edinburgh*, an Account, containing the Name of the Firm, &c.

Account or Return to be made out according to the Form contained in the Schedule marked (A) to this Act annexed, wherein shall be set forth the true Names, Title or Firm of such intended or existing Society or Copartnership, and also the Names and Places of Abode of all the Members of such Society, or of all the Partners concerned or engaged in such Copartnership, as the same respectively shall appear on the Books of such Society or Copartnership, and the Name or Firm of every Bank or Banks established or to be established by such Society or Copartnership, and also the Name and Place of Abode of the Manager, Cashier or other principal Officer in the Name of whom such Society or Copartnership shall sue and be sued, as hereinafter provided, and also the Name of every Town and Place where any of the Bills or Notes of such Society or Copartnership shall be issued by any such Society or Copartnership, or by their Agent or Agents; and every such Account or Return shall be delivered to the Head Collector of Stamp Duties at the Stamp Office in *Edinburgh*, who shall cause the same to be filed and kept in the Stamp Office there, and an Entry and Registry thereof to be made in a Book or Books to be there kept for that Purpose, and which Book or Books any Person or Persons shall from time to time have liberty to search and inspect, on Payment of the Sum of One Shilling for every Search.

Account to be registered.

Fee for Search.

III. And be it further enacted, That such Account or Return shall be made out by the Officer named as aforesaid, and shall be verified by the Oath of such Officer taken before any Justice of the Peace, and which Oath any Justice of the Peace is hereby authorized and empowered to administer, and that such Account or Return shall, between the Twenty fifth Day of *May* and the Twenty fifth Day of *July* in every Year, be in like manner delivered by such Officer as aforesaid to the said Collector, to be filed and kept in the Manner and for the Purposes as hereinbefore mentioned.

Accounts to be verified on Oath.

IV. And be it further enacted, That a Copy of any such Account or Return, so filed or kept and registered at the Stamp Office as by this Act is directed, and which Copy shall be certified to be a true Copy, under the Hand of the said Collector, or of the Comptroller of the Stamp Duties at *Edinburgh*, shall in all Proceedings, civil or criminal, and in all Cases whatsoever, be received in Evidence as Proof of the Appointment and Authority of the Officer named in such Account or Return, and also of the Fact that all Persons named therein as Members of such Society or Copartnership were Members thereof at the Date of such Account or Return.

Certified Copies of such Returns to be Evidence of Appointment of Public Officers, &c.

V. And be it further enacted, That the said Collector or Comptroller for the Time being shall, and he is hereby required, upon Application made to him by any Person or Persons requiring a Copy certified according to this Act, of any such Account or Return as aforesaid, in order that the same may be produced in Evidence, or for any other Purpose, to deliver to the Person or Persons so applying for the same such certified Copy, he, she or they paying for the same the Sum of Ten Shillings and no more.

Commissioners of Stamps to give certified Copies of Affidavits. Fee.

VI. Provided also, and be it further enacted, That the Manager or other Officer of every such Society or Copartnership shall, and

Account of new Officers or

Members in the Course of any Year to be made as herein mentioned.

he is hereby required from time to time, as often as Occasion shall render it necessary, make out upon Oath, in manner hereinbefore directed, and cause to be delivered to the said Collector as aforesaid, a further Account or Return according to the Form contained in the Schedule marked (B) to this Act annexed, of the Name of any Person who shall have been nominated or appointed a new or additional Officer of such Society or Copartnership, in whose Name the same shall sue and be sued, and also of the Name or Names of any Person or Persons who shall have ceased to be Members of such Society or Copartnership, and also of the Name or Names of any Person or Persons who shall have become a Member or Members of such Society or Copartnership, either in addition to or in the Place or Stead of any former Member or Members thereof, and of the Name or Names of any new or additional Town or Towns, Place or Places, where such Bills or Notes are or are intended to be issued, and where the same are to be made payable; and such further Accounts or Returns shall from time to time be filed and kept, and entered and registered at the Stamp Office in *Edinburgh*, in like manner as is hereinbefore required with respect to the original or annual Account or Return hereinbefore directed to be made.

Such Accounts to be registered.

How Copartnerships to sue and be sued.

VII. And be it further enacted, That all Actions and Suits, and also all Petitions to found any Sequestration in *Scotland*, or Commission of Bankruptcy in *England*, against any Person or Persons who may be at any Time indebted to any such Copartnership carrying on Business under the Provisions of this Act, and all Proceedings at Law or in Equity under any Sequestration or Commission of Bankruptcy, and all other Proceedings at Law or in Equity to be commenced or instituted for or on behalf of any such Copartnership, against any Person or Persons, Bodies Politic or Corporate or others, whether Members of such Copartnership or otherwise, for recovering any Debts or enforcing any Claims or Demands due to such Copartnership, or for any other Matter relating to the Concerns of such Copartnership, shall and lawfully may, from and after the passing of this Act, be commenced or instituted and prosecuted in the Name of the Officer named as aforesaid for the Time being of such Copartnership, as the nominal Pursuer, Plaintiff or Petitioner, for and on behalf of such Copartnership; and that all Actions or Suits, and Proceedings at Law or in Equity, to be commenced or instituted by any Person or Persons, Bodies Politic or Corporate or others, whether Members of such Copartnership or otherwise, against such Copartnership, shall and lawfully may be commenced, instituted and prosecuted against the Officer named as aforesaid for the Time being of such Copartnership, as the nominal Defender or Defendant for and on behalf of such Copartnership; and that all Indictments, Informations and Prosecutions by or on behalf of such Copartnership, for any Stealing or Embezzlement of any Money, Goods, Effects, Bills, Notes, Securities or other Property of or belonging to such Copartnership, or for any Fraud, Forgery, Crime or Offence committed against or with Intent to injure or defraud such Copartnership, may be had, preferred and carried on in the Name of the Officer named as aforesaid for the Time being of such Copartnership; and that in all Indictments and Informations to be had or preferred

So of Indictments, &c.

preferred by or on behalf of such Copartnership against any Person or Persons whomsoever, it shall be lawful and sufficient to state the Money, Goods, Effects, Bills, Notes, Securities or other Property of such Copartnership to be the Money, Goods, Effects, Bills, Notes, Securities or other Property of the Officer named as aforesaid, for the Time being, of such Copartnership; and that any Forgery, Fraud, Crime or other Offence committed against or with Intent to injure or defraud any such Copartnership, shall and lawfully may in such Indictment or Indictments, notwithstanding as aforesaid, be laid or stated to have been committed against or with intent to injure or defraud the Officer named as aforesaid, for the Time being, of such Copartnership; and any Offender or Offenders may thereupon be lawfully convicted for any such Forgery, Fraud, Crime or Offence; and that in all other Allegations, Indictments, Informations or other Proceedings of any Kind whatsoever, in which it otherwise might or would have been necessary to state the Names of the Persons composing such Copartnership, it shall and may be lawful and sufficient to state the Name of the Officer named as aforesaid for the Time being, of such Copartnership; and the Death, Resignation, Removal or any Act of such Officer shall not abate or prejudice any such Action, Suit, Indictment, Information, Prosecution or other Proceeding commenced against, or by or on behalf of such Copartnership, but the same may be continued, prosecuted and carried on in the Name of any other Manager, Cashier or other principal Officer of such Copartnership for the Time being.

How Offences
to be laid.

VIII. And be it further enacted, That no Person or Persons, or Body or Bodies Politic or Corporate, having or claiming to have any Demand upon or against any such Society or Copartnership, shall bring more than One Action or Suit, in case the Merits shall have been tried in such Action or Suit, in respect of such Demand; and the Proceedings in any Action or Suit by or against the Officer named as aforesaid for the Time being, of any such Copartnership, may be pleaded in bar of any other Action or Actions, Suit or Suits, for the same Demand, by or against such Copartnership.

Not more than
One Action for
Recovery of
One Demand.

IX. And be it further enacted, That all and every Decree or Decrees, Order or Orders, Interlocutor or Interlocutors, made or pronounced in any Suit or Proceeding in any Court of Law or Equity against the Officer named as aforesaid of any such Copartnership carrying on Business under the Provisions of this Act, shall have the like Effect and Operation upon and against the Property and Funds of such Copartnership, and upon and against the Persons and Property of every or any Member or Members thereof, as if every or any such Members of such Copartnership were Parties before the Court to and in any such Suit or Proceeding; and such Order, Interlocutor and Decree shall be enforced against every or any Member of such Copartnership, in like manner as if every such Member of such Copartnership was a Party before such Court to and in such Suit or Proceeding.

Decrees, &c. of
a Court of
Equity against
Officer to take
Effect against
Copartnership.

X. And be it further enacted, That all and every Judgment and Judgments, Decree or Decrees, in any Action, Suit or Proceedings in Law or Equity against the Officer named as aforesaid of any such Copartnership, shall have the like Effect and Operation upon and against the Property of such Copartnership, and upon and

Judgments
against Officer
to operate
against the
Copartnership.

against the Property of every such Member thereof as aforesaid, as if such Judgment or Judgments had been recovered or obtained against such Copartnership; and that the Bankruptcy, Insolvency or stopping Payment of such Officer for the Time being of such Copartnership, in his individual Character or Capacity, shall not be nor be construed to be the Bankruptcy, Insolvency or stopping Payment of such Copartnership; and that such Copartnership and every Member thereof, and the Capital Stock and Effects of such Copartnership, and the Effects of every Member of such Copartnership, shall in all Cases, notwithstanding the Bankruptcy, Insolvency or stopping Payment of any such Officer, be attached and attachable, and be in all respects liable to the lawful Claims and Demands of the Creditor and Creditors of such Copartnership, or of any Member or Members thereof, as if no such Bankruptcy, Insolvency or stopping Payment of such Officer had happened or taken place.

Notwithstanding Bankruptcy, &c.

Officer, &c. in such Cases indemnified.

XI. Provided always, and be it further enacted, That such Officer in whose Name any such Suit or Action shall have been commenced, prosecuted or defended, and every Person or Persons against whom Execution upon any Judgment obtained or entered up as aforesaid in any such Action shall be issued as aforesaid, shall always be reimbursed and fully indemnified for all Loss, Damages, Costs and Charges which such Officer or Person may have incurred by reason of such Execution, out of the Funds of such Copartnership, or in failure thereof, from the Funds of the other Members of such Copartnership, as in the ordinary Cases of Copartnership.

Proviso for Questions depending at Time of passing Act.

XII. Provided always, and be it enacted, That nothing herein contained shall in any way affect any Question which may be in dependence before any Court of Law at the passing of this Act; but such Question shall be dealt with in all respects in the same Manner as if this Act had not been passed.

Limiting Number of Licences to be taken out for Branches.

XIII. Provided always, and be it further enacted, That no such Society or Copartnership shall be obliged to take out more than Four Licences for the issuing of any Promissory Notes for Money payable to the Bearer on Demand, allowed by Law to be re-issued, in all, for any Number of Towns or Places in *Scotland*; and in case any such Society or Copartnership shall issue such Promissory Notes as aforesaid, by themselves or their Agents, at more than Four different Towns or Places in *Scotland*, then after taking out Three distinct Licences for Three of such Towns or Places, such Society or Copartnership shall be entitled to have all the rest of such Towns or Places included in a Fourth Licence.

Copartnership neglecting to send Returns, and making false Returns
† *Sic*.

XIV. And be it further enacted, That if any such Society or Copartnership, carrying on the Business of Bankers under the Authority of this Act, shall issue any Bills or Notes, or † to borrow or owe or take up any Money on their Bills or Notes, without having caused such Account or Return as aforesaid to be made out and delivered in the Manner and Form directed by this Act, or shall neglect or omit to cause such Account or Return to be renewed yearly and every Year between the Days or Times hereinbefore appointed for that Purpose, such Society or Copartnership so offending shall, for each and every Week they shall so neglect to make such Account and Return, forfeit the Sum of Five hundred

Penalty.

dred Pounds; and if any Officer of such Society or Copartnership shall make out or sign any false Account or Return, or any Account or Return which shall not truly set forth all the several Particulars by this Act required to be contained or inserted in such Account or Return, the Society or Copartnership to which such Officer so offending shall belong, shall for every such Offence forfeit the Sum of Five hundred Pounds, and the said Officer so offending shall also for every such Offence forfeit the Sum of One hundred Pounds; and if any such Officer making out or signing any such Account or Return as aforesaid, shall knowingly and wilfully make a false Oath of or concerning any of the Matters to be therein specified and set forth, every such Officer so offending, and being thereof lawfully convicted, shall be subject and liable to such Pains and Penalties as by any Law now in force Persons convicted of wilful and corrupt Perjury are subject and liable to.

Penalty by
Officer.

XV. And be it further enacted, That all pecuniary Penalties and Forfeitures imposed by this Act shall and may be sued for and recovered in His Majesty's Court of Exchequer at *Edinburgh*, in the same Manner as Penalties incurred under any Act or Acts relating to Stamp Duties may be sued for and recovered in such Court.

Perjury.
Penalties how
recovered.

XVI. And be it further enacted, That this Act may be altered, amended or repealed by any Act or Acts to be passed in this present Session of Parliament.

Act may be
altered, &c.
this Session.

SCHEDULES referred to by this Act.

SCHEDULE (A).

RETURN or Account to be entered at the Stamp Office in *Edinburgh*, in pursuance of an Act passed in the Seventh Year of the Reign of King George the Fourth, intituled [*here insert the Title of this Act*]; viz.

Firm or Name of the Banking Society or Copartnership, viz. [*set forth the Firm or Name.*]

Names and Places of Abode of all the Partners concerned or engaged in such Society or Copartnership, videlicet, [*set forth all the Names and Places of Abode.*]

Names and Places of the Bank or Banks established by such Society or Copartnership, videlicet, [*set forth all the Names and Places.*]

Name and Description of the Officer of the said Banking Society or Copartnership in whose Name such Society or Copartnership shall sue and be sued, videlicet, [*set forth the Name and Description.*]

Names of the several Towns and Places where the Bills or Notes of the said Banking Society or Copartnership are to be issued by the said Society or Copartnership, or their Agent or Agents, videlicet, [*set forth the Names of all the Towns and Places.*]

A. B. of

Manager, or other Officer, [*describing the Office,*] of the above Society or Copartnership, maketh Oath and saith, That the above doth contain the Name, Style and Firm of the above Society or Copartnership

Copartnership, and the Names and Places of the Abode of the several Members thereof, and of the Banks established by the said Society or Copartnership, and the Name, Title and Description of the Officer of the said Society or Copartnership in whose Name such Society or Copartnership shall sue and be sued, and the Names of the Towns and Places where the Notes of the said Society or Copartnership are to be issued, as the same respectively appear in the Books of the said Society or Copartnership, and to the best of the Information, Knowledge and Belief of this Deponent.

Sworn before me, the Day of
at in the County of
C. D. Justice of the Peace in
and for the said County.

SCHEDULE (B).

RETURN or Account to be entered at the Stamp Office in Edinburgh, on behalf of [*name the Society or Copartnership*], in pursuance of an Act passed in the Seventh Year of the Reign of King George the Fourth, intituled [*insert the Title of this Act*]; videlicet,

Name of any new or additional Officer of the said Society or Copartnership in whose Name the same shall sue and be sued; videlicet,

A.B. in the Room of *C.D.* deceased or removed [*as the Case may be*].

Names of any and every Person who may have ceased to be a Member of such Society or Copartnership, videlicet, [*set forth every Name.*]

Names of any and every Person who may have become a new Member of such Society or Copartnership, [*set forth every Name.*]

Names of any additional Towns or Places where Bills or Notes are to be issued, and where the same are to be made payable.

A. B. of Manager [*or other Officer*] of the above named Society or Copartnership, maketh Oath and saith, That the above doth contain the Name and Place of Abode of any Person who hath become or been appointed an Officer of the above Society or Copartnership, in whose Name the same may sue and be sued, and also the Name and Place of Abode of any and every Person who hath ceased to be a Member of the said Society or Copartnership, and of any and every Person who hath become a Member of the said Copartnership, since the Registry of the said Society or Copartnership on the Day of last, as the same respectively appear on the Books of the said Society or Copartnership, and to the best of the Information, Knowledge and Belief of this Deponent.

Sworn before me, the Day of
at in the County of
C. D. Justice of the Peace in
and for the said County.

C A P. LXVIII.

An Act to amend so much of an Act of the Thirty first Year of His late Majesty, as relates to the Election of Members to serve in the Legislative Assembly of the Province of *Upper Canada*. [26th May 1826.]

WHEREAS by an Act passed in the Thirty first Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to repeal certain Parts of an Act passed in the Fourteenth Year of His Majesty's Reign, intituled "An Act for making more effectual Provision for the Government of the Province of Quebec in North America," and to make further Provision for the Government of the said Province*, it is amongst other Things enacted, that no Person shall be summoned to the Legislative Council in either of the Provinces of *Upper Canada* and *Lower Canada* who shall not be of the full Age of Twenty one Years, and a natural born Subject of His Majesty, or a Subject of His Majesty naturalized by Act of the *British* Parliament, or a Subject of His Majesty having become such by the Conquest and Cession of the Province of *Canada*; and it is thereby further provided, that no Person shall be capable of voting at any Election of a Member to serve in the Legislative Assembly in either of the said Provinces of *Upper Canada* or *Lower Canada*, or of being elected at any such Election, who shall not be of the full Age of Twenty one Years, and a natural born Subject of His Majesty, or a Subject of His Majesty's naturalized by Act of the *British* Parliament, or a Subject of His Majesty having become such by the Conquest and Cession of the Province of *Canada*: And Whereas it is expedient that Persons naturalized by any Act of the Legislative Council and Assembly of the Province of *Upper Canada*, assented to by His Majesty, His Heirs or Successors, should be enabled to be summoned to the Legislative Council of the said Province of *Upper Canada*, and of voting at the Elections of Members to serve in the Legislative Assembly of the said Province, or of being elected at any such Election; Be it therefore enacted by the King's most Excellent Majesty by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Persons naturalized by any Act of the Legislative Council and Assembly of the Province of *Upper Canada*, assented to by His Majesty, His Heirs or Successors, shall henceforth be and be deemed competent in the Law to be summoned to the Legislative Council of the said Province of *Upper Canada*, and to vote at the Elections of Members to serve in the Legislative Assembly of the said Province, and to be elected at any such Election.

81 G.S. c.91.

§ 4.

§ 22.

Persons naturalized in *Upper Canada* may be summoned to Legislative Council, and vote at Elections.

II. Provided nevertheless, and be it further enacted, That whenever any Bill which has been passed by the Legislative Council and by the House of Assembly in the said Province of *Upper Canada*, for the Naturalization of any Persons or Person, shall be presented for His Majesty's Assent to the Governor or Lieutenant Governor of the said Province, or to the Person administering His Majesty's Government therein, such Governor or Lieutenant Governor

Naturalization Bills not to have Effect till they have received His Majesty's Assent.

Governor or Person administering the Government, shall and he is hereby required to reserve every such Bill for the Signification of His Majesty's Pleasure thereon; and no such Bill shall have any Force or Authority within the said Province of *Upper Canada* until the Governor or Lieutenant Governor, or Person administering the Government, shall signify, either by Speech or Message to the Legislative Council and Assembly of the said Province, or by Proclamation, that such Bill has been laid before His Majesty in Council, and that His Majesty has been pleased to assent to the same; and no such Bill shall have any Force or Authority within the said Province unless His Majesty's Assent thereto shall have been so signified as aforesaid, within the Space of Two Years from the Day on which such Bill shall have been presented for His Majesty's Assent to the Governor, Lieutenant Governor or Person administering the Government.

To be signified
as herein men-
tioned.

C A P. LXIX.

An Act to amend the Law in respect to the Offence of stealing from Gardens and Hothouses. [31st May 1826.]

‘WHEREAS it is expedient to make better Provision for the Protection of Plants, Roots, Fruit and Vegetable Productions growing in Orchards, Gardens and Nursery Grounds, and in Hothouses, Greenhouses and Conservatories;’ Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person shall steal any Plant, Root, Fruit or Vegetable Production growing in any Orchard, Garden or Nursery Ground, or in any Hothouse, Greenhouse or Conservatory, or shall aid or abet any Person to steal the same, or shall receive any of the said Articles, knowing the same to have been so stolen, every such Offender, being convicted thereof before One Justice of the Peace, within Three Calendar Months after the Commission of the Offence, shall, at the Discretion of such Justice, either be committed to the House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for any Time not exceeding Six Calendar Months, or else shall forfeit and pay Treble the Value of the Articles so stolen or received, and also, if the Justice shall so think fit, a further Sum not exceeding Twenty Pounds, as to such Justice shall seem meet, and in default of immediate Payment shall be committed as aforesaid; and every Sum of Money which shall be forfeited for the single Value of any Article or Articles so stolen or received as aforesaid, shall be awarded to the Party grieved, notwithstanding such Party may have been examined in Proof of the Complaint; and the Residue of every pecuniary Penalty which shall be imposed by any Justice for any such Offence shall be awarded to the Use of the Informer and of the Poor of the Place wherein the Offence shall be laid to have been committed, in such Proportions as to the Justice shall seem meet.

Stealing Vegetable Productions growing in Orchards, &c. or receiving the same, Punishment.

Application of Penalties.

Form of Conviction.

‘II. And for the more easy and speedy Conviction of Offenders;’ Be it enacted, That the Justice before whom any Person shall be convicted of any Offence against this Act may cause the Conviction

tion to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case shall happen; *videlicet*,

' **B**E it remembered, That on the Day of
' in the Year of our Lord,
' at A. O. is convicted
' before me J. P. One of His Majesty's Justices of the Peace for
' the County of [or, the City, Liberty or Place,
' as the Case may be,] for that he the said A. O. did [specify the
' Offence, and the Time and Place where the same was committed,
' as the Case may be,] and I the said J. P. do adjudge the said
' A. O. for his said Offence to be imprisoned in the House of Cor-
' rection at [or, to be imprisoned in the
' House of Correction, and there kept to Hard Labour,] [or other-
' wise], to forfeit and pay the Sum of [here state
' Treble the Value of the Article stolen or received, and also the
' Amount of the Penalty, if imposed]; and in default of immediate
' Payment, to be imprisoned in the House of Correction [or, to be
' imprisoned in the House of Correction, and there kept to Hard
' Labour,] for the Space of
' . Given under my Hand and Seal
' the Day and Year first above mentioned.'

III. And be it further enacted, That in all Cases where the Pen-
alty actually adjudged on any summary Conviction shall exceed
the Sum of Five Pounds or One Month's Imprisonment, or the
Conviction shall take place before One Justice only, any Person
who shall think himself or herself aggrieved by any such Convic-
tion may appeal to the next Court of General or Quarter Sessions
which shall be holden for the County or Place wherein the Cause
of Complaint shall have arisen, not less than Twelve Days after
the Day of such Conviction, such Person giving to the Complai-
nant a Notice in Writing of such Appeal and of the Cause and
Matter thereof, within Three Days after such Conviction, and
Seven clear Days at the least before such Sessions, and also enter-
ing within such Three Days into a Recognizance with Two suffi-
cient Sureties before a Justice of the same County or Place, con-
ditioned personally to appear at the said Sessions, and to try such
Appeal and to abide the Judgment of the Court thereupon, and to
pay such Costs as shall be by the Court awarded; and upon such
Notice being given and such Recognizance being entered into, the
Justice before whom the same shall be entered into shall liberate
such Person, if in Custody, and the Court at such Sessions shall
hear and determine the Matter of such Appeal, and shall make
such Order therein with or without Costs to either Party, as to
the Court shall seem meet; and in case of the Dismissal of the
Appeal or the Affirmance of the Conviction, shall order and
adjudge the Offender to be punished according to the Conviction,
and to pay such Costs as shall be awarded, and shall, if necessary,
issue Process for enforcing such Judgment.

Appeal.

Notice of Ap-
peal.

Security.

Costs.

IV. And be it further enacted, That no such Conviction or
Adjudication made on Appeal therefrom shall be quashed for
want of Form, or be removed by Certiorari or otherwise into any
of His Majesty's superior Courts of Record; and no Warrant of
Commitment

No Appeal
quashed for
want of Form,
or removed by
Certiorari.

Commitment shall be held void by reason of any Defect therein, provided it be therein alleged that the Party has been convicted, and there be a good and valid Conviction to sustain the same.

6 G. 4. c. 127.

repealed.

Act not to extend to Scotland.

V. And be it further enacted, That from and after the Commencement of this Act, an Act passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act for making further Provision by Law for the Protection of Property in Orchards, Gardens and Nursery Grounds*, shall be and the same is hereby repealed.

VI. And be it further enacted, That nothing in this Act contained shall extend to that Part of the United Kingdom called *Scotland*.

C A P. LXX.

An Act to permit Foreign Corn, Meal and Flour, warehoused, to be taken out for Home Consumption, until the Sixteenth Day of *August* One thousand eight hundred and twenty six.

[31st May 1826.]

‘ WHEREAS under the Provisions of an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the Laws relating to the Importation of Corn*, Foreign Corn is not admissible for Home Consumption in the United Kingdom, except in certain Cases therein mentioned; and it is expedient to admit certain Corn warehoused, or reported inwards to be warehoused, to Entry for Home Consumption, although the same may not at the Time of such Entry be admissible under the Provisions of the said Act:’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That after the passing of this Act, and until the Sixteenth Day of *August* One thousand eight hundred and twenty six, it shall be lawful for the Importers or Proprietors, Importer or Proprietor of any Quantity of Foreign Corn, Grain, Meal or Flour, which had either been warehoused or reported inwards to be warehoused on or before the Second Day of *May* One thousand eight hundred and twenty six, to enter the same for Home Consumption, at the Times and in the Proportions hereinafter mentioned; that is to say, any Quantity not exceeding One Half of the whole Quantity warehoused, in Possession of any such Importer or Proprietor respectively, at any Time before the First Day of *July* next; and the Remainder of such Corn, Grain, Meal or Flour, or so much thereof as shall not exceed the Proportion hereinafter mentioned, on or at any Time after the said First Day of *July* and before the Sixteenth Day of *August* next following; and on Payment of the following Duties; (that is to say,)

For every Quarter of Wheat, Twelve Shillings:

For every Quarter of Rye, Pease or Beans, Eight Shillings:

For every Quarter of Barley, Bear or Bigg, Six Shillings:

For every Quarter of Oats, Four Shillings:

For every Hundredweight of Wheat Meal or of Wheat Flour, Three Shillings and Three Pence.

II. Provided

Corn (although not admissible under 3 G. 4. c. 60.) warehoused, &c. on or before 2d May, may be entered for Home Consumption until 16th August 1826; but not more than One Half may be entered before 1st July 1826.

II. Provided always, and be it enacted, That no greater Proportion of the Total Quantity of any Parcel or Number of Parcels of such Corn, Grain, Meal or Flour, which on the said Second Day of *May* was in the Possession of any such Importer or Proprietor in the same Port, shall be entered for Home Consumption under the Authority of this Act after the First Day of *July* One thousand eight hundred and twenty six, by such Importer or Proprietor, or by any other Person who may then be in Possession of the same, than shall be equal to the Proportion of such Total Quantity which had been so entered on or before the said First Day of *July* under the Authority of this Act.

And not more may be entered after 1st July than was entered before that Day.

C A P. LXXI.

An Act to empower His Majesty to admit Foreign Corn for Home Consumption, under certain Limitations, until the First Day of *January* One thousand eight hundred and twenty seven, or for Six Weeks after the Commencement of the then next ensuing Session of Parliament, if Parliament shall not then be sitting. [31st *May* 1826.]

WHEREAS it may become expedient, for a Time to be limited, to admit a further Quantity of Corn or Flour for Home Consumption, in addition to the Foreign Corn, Grain, Meal or Flour, which had been warehoused, or reported inwards to be warehoused, on or before the Second Day of *May* One thousand eight hundred and twenty six: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That at any Time after the End of the present Session of Parliament, and until the First Day of *January* One thousand eight hundred and twenty seven, or for Six Weeks after the Commencement of the then next ensuing Session of Parliament, if Parliament shall not then be sitting, it shall be lawful for His Majesty, by any Order or Orders to be by Him issued by and with the Advice of His Privy Council, to admit to Entry for Home Consumption any Quantity of warehoused Wheat or Wheat Flour not exceeding Five hundred thousand Quarters in the whole, on Payment of such Duty as shall be declared in any such Order to be payable upon the Entry of the same: Provided always, that no such Order in Council shall continue in force for more than Two Calendar Months from the Day of the Date thereof; and provided also, that no such Order shall extend to admit to Entry any Wheat or Wheat Flour which had been warehoused, or reported inwards to be warehoused, before the said Second Day of *May*.

His Majesty, by Order in Council, may admit warehoused Wheat or Wheat Flour for Home Consumption, on Payment of such Duty as shall be therein declared.

Limitation as to Time.

II. Provided always, and be it further enacted, That the Duty so to be declared in any such Order shall not in any Case exceed the Duty which would have been payable on the Entry of such Wheat or Flour, if the same had been admissible for Home Consumption, under the Provisions of an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the Laws now in force for regulating the Importation of Corn*; and the Duty so declared to be payable shall be levied and paid in like

Duty declared by such Order in Council not to exceed that fixed by 3 G. 4. c. 60.

like manner as any Duty payable under the said Act would be levied and paid if such Corn or Flour were entered for Home Consumption under the Authority of the said Act.

C A P. LXXII.

An Act to consolidate and amend the Laws which regulate the Levy and Application of Church Rates and Parish Cesses, and the Election of Churchwardens, and the Maintenance of Parish Clerks, in *Ireland*. [31st May 1826.]

‘ **W**HEREAS it is expedient that the Provisions of several Acts in force in *Ireland*, relating to Church Rates and Parish Cesses, and to the Election of Churchwardens, and the Maintenance of Parish Clerks, should be repealed, and that more effectual Regulations should be made for those Purposes;’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act the several Acts hereinafter mentioned, or so much of them as is hereafter specified and set forth, shall be repealed; (that is to say,) so much of an Act made in the Parliament of *Ireland* in the Sixth Year of the Reign of King George the First, intituled *An Act for exempting the Protestant Dissenters of this Kingdom from certain Penalties to which they are now subject*, as relates to or concerns the Office of Churchwarden or Deputy Churchwarden; so much of an Act made in the Parliament of *Ireland* in the Twelfth Year of the Reign of the said King George the First, intituled *An Act for the more effectual erecting and better regulating of Free Schools, and for rebuilding and repairing of Churches*, as relates to the more speedy and effectual levying such Money as shall be agreed upon, assessed and ordered at Vestries for building and repairing of Churches; and also so much of an Act, made in the Parliament of *Ireland* in the Third Year of the Reign of King George the the Second, intituled *An Act for better keeping Churches in repair*, as relates to the collecting, applotting and accounting for Parish Cesses made and agreed upon in Vestry for the Repair of Parish Churches, Chapels and other necessary Charges relating to such Churches and Chapels, or to any Appeal by any Churchwarden in respect of the accounting for such Cesses; and also so much of an Act made in the Parliament of *Ireland* in the Twenty first year of the Reign of King George the Second, intituled *An Act for disappropriating Benefices belonging to Deans, Archdeacons, Dignitaries and other Members of Cathedral Churches, and for appropriating others in their Stead; and also for the Removal of the Sites of ruined Cathedral Churches*, as relates to the putting and keeping in repair of any Parochial Church made Cathedral and Parochial under the said recited Act, except only in Cases where any permanent Agreement shall have been made at any Time before the passing of this Act, by and between the Dean and Chapter of such Church, testified under their Common Seals, and by the Protestant Inhabitants of the Parish or Union in which such Church is situate, ascertaining the Proportions

6 G.1. c.5.
(L)

12 G.1. c.9.
(L)

3 G.2. c.11.
(I.)

21 G.2. c.8.
(L)

Proportions in which such Deans and Chapters and Inhabitants shall respectively contribute to the putting in repair such Cathedral and Parochial Churches; and also so much of an Act made in the Parliament of *Ireland*, in the Twenty third Year of the Reign of King George the Second, intituled *An Act for amending, continuing and making more effectual the several Acts now in force in this Kingdom for the more easy Recovery of Tithes and other Ecclesiastical Dues of small Value, and also for the more easy providing a Maintenance for Parish Clerks*, as relates to the Maintenance of Parish Clerks; and also so much of an Act made in the Parliament of *Ireland* in the Thirty third Year of King George the Second (for reviving and amending Part of the said last recited Act of the Twenty third Year of the said King's Reign) as relates to Parish Clerks; and also so much of an Act made in the Parliament of *Ireland* in the Eleventh and Twelfth Years of the Reign of King George the Third, intituled *An Act for erecting Parochial Chapels of Ease in Parishes of large Extent, and making such Chapels, and those that are already erected, perpetual Cures; and for making a proper Provision for the Maintenance of perpetual Curates to officiate in the same: and also in like manner for making appropriate Parishes perpetual Cures*, whereby it is enacted, that Occupiers of Land within every Parish shall, as to every Cess or Tax for the repairing of any Church or Chapel, or for other necessary Charges belonging to such Church or Chapel, be and be construed to be Inhabitants within every such Parish, whether such Parish be a Parish of itself or be united to any other Parish by Episcopal Union or otherwise, or whether such Occupiers do or do not reside or dwell within such Parish; and also so much of an Act made in the Parliament of *Ireland* in the Twenty first and Twenty second Years of the Reign of King George the Third, intituled *An Act to oblige Churchwardens to account pursuant to an Act for the better keeping Churches in repair; and to make the Cathedral Church of Ferns the Parish Church of the Parish of Ferns*, as relates to obliging Churchwardens to account; and also so much of an Act made in the Parliament of *Ireland* in the Twenty third and Twenty fourth Years of the Reign of King George the Third, intituled *An Act for making appropriate Parishes belonging to Archbishops and Bishops perpetual Cures, and the better to enable such Archbishops and Bishops to endow and augment the Endowments of Vicarages and Curacies to them respectively appropriate; and to render more effectual the several Acts now in force, to enable the Clergy, having Cure of Souls, to reside upon their respective Benefices, and to build on their respective Glebe Lands*, whereby it is enacted, that every Person who shall be duly elected or nominated a Churchwarden of any Parish, Union or Chapelry, shall, after the Expiration of the Term mentioned in the said Act, be deemed and taken to be the legal Churchwarden, although such Churchwarden shall have neglected or refused to take the usual Oath of Office in manner prescribed by Law, and that such Election or Nomination shall be entered in the Vestry Book of every Parish, Union or Chapelry, signed by the Rector, Vicar, Curate or any One of them, and Three of the Parishioners then present at least, and that the Act of Vestry so signed shall be considered and received as

23 G. 2. c. 12.
(L.)

33 G. 2. c. 11.
(L.)

11 & 12 G. 3.
c. 16. (L.)

21 & 22 G. 3.
c. 52. (L.)

23 & 24 G. 3.
c. 49. (L.)
all the above
mentioned Acts
in part re-
pealed.

25 G. 3. c. 58.
(I.) wholly re-
pealed.

29 G. 3. c. 27.
(I.)

54 G. 3. U. K.
c. 68.

4 G. 4. U. K.
c. 86.
the Three last
mentioned
Acts in part
repealed.
6 G. 4. c. 130.
wholly re-
pealed.

At Vestries
called for re-
pairing, &c. of
Church, provid-
ing Requisites
for Divine Ser-
vice, making
Rates, &c. no
other Matter
shall be pro-
ceeded on, nor
Roman Catho-
lics be capable
of voting.

At Vestries
held for any
other Purposes,

conclusive Evidence of such Election or Nomination, although the same shall not be signed by the said Churchwardens or either of them; and also the whole of an Act made in the Parliament of Ireland in the Twenty fifth Year of the Reign of King George the Third, intituled *An Act for the better carrying into Execution the several Laws for providing a Maintenance for Parish Clerks, and for other Purposes*; and also so much of an Act made in the Parliament of Ireland in the Twenty ninth Year of the Reign of King George the Third, intituled *An Act for the better providing for the Repairs of Churches and the Residence of the Clergy*, as relates to the Repairs of Churches; and also so much of an Act made in the Parliament of the United Kingdom in the Fifty fourth Year of His late Majesty's Reign, intituled *An Act for the better Regulation of Ecclesiastical Courts in Ireland, and for the more easy Recovery of Church Rates and Tithes*, as relates to the more easily and speedily recovering of Church Rates or Parish Cesses of limited Amount unduly refused or withheld; and also so much of an Act made in the Parliament of the United Kingdom in the Fourth Year of the Reign of His present Majesty, intituled *An Act to amend the Laws for collecting Church Rates and Money advanced by the Trustees and Commissioners of the First Fruits of Ecclesiastical Benefices, and for the Improvement of Church Lands in Ireland*, as relates to any Proceedings with respect to any Church Rates; and also the whole of an Act made in the last Session of Parliament, intituled *An Act to alter and amend the Law as to Church Rates in Ireland, and to regulate the same*; and the said several hereinbefore recited Acts, either in the whole or in part, as hereinbefore specified and set forth, from and after the Commencement of this Act, shall be and the same are hereby repealed accordingly.

II. And be it further enacted, That whenever any Vestry shall be called or holden in any Parish, Union or Chapelry in Ireland, respecting or relating to all or any of the following Purposes, namely, the building, rebuilding, enlarging or repairing of the Church or Chapel of any Parish, Union or Chapelry, the providing Things necessary for the Celebration of Divine Service therein, as required and authorized by any Rubric or Canon in force in England or Ireland, the Election of the Churchwardens or Chapelwardens, the settling of the Salary for Maintenance of the Parish Clerk or Sexton, or the Clerk of any Chapelry or Chapel of Ease, or the making any Rate to defray the Expences of such building, rebuilding, enlarging or repairing, or other necessary Charges, or any of them, or respecting or relating to the letting or demising of any Estate, or the Disposal of the Income of any Estate, or any Part thereof, belonging to or held in trust for the Church or Chapel or Parish, no other Matter shall be proceeded upon at such Vestry save and except the Matters aforesaid, or some of them, for the Purpose of which such Vestry shall be held; and that no Inhabitant of such Parish, being a Roman Catholic, shall be capable of voting at such Vestry holden for such Purposes as aforesaid.

III. Provided always, and be it enacted, That in all Cases whatever where any Vestry shall be called or holden in any Parish, Union or Chapelry, for any Purposes other than and save and

and except the several Purposes and Matters hereinbefore specially mentioned, it shall and may be lawful for every Parishioner, of whatever religious Persuasion he may be, who shall be chargeable to the Church Rates or Cess in such Parish, Union or Chapelry, and not disabled by Law, to vote at such Vestry respecting every Matter or Business therein brought forward.

all Parishioners may vote.

IV. And be it further enacted, That no Vestry or Meeting of the Inhabitants in Vestry of or for any Parish, Chapelry or Union of Parishes, shall be holden for any Purpose whatever, save and except for the Purpose of applotting such Assessments as may be ordered by any Grand Jury to be levied on such Parish, Chapelry or Union, until public Notice shall have been given of such Vestry, and of the Place and Hour of holding the same, and of the special Purpose thereof, Seven Days at the least before the Day to be appointed for holding such Vestry, by the Publication of such Notice in the Parish Church or Chapel on some *Sunday* during or immediately after Divine Service, and by affixing a Copy of such Notice on the principal Door of such Church or Chapel, and on the Door of some One Meeting House for religious Worship of the Presbyterian Congregation, if any, within such Parish, Chapelry or Union; and that no such Vestry or Meeting shall be holden for any Purpose respecting which Roman Catholics shall be capable of voting, until such Notice shall have been given in manner aforesaid, and also by affixing another Copy of such Notice on the Doors of some One Roman Catholic Chapel within such Parish, Chapelry or Union.

No Vestry to be held without public Notice.

V. Provided always, and be it further enacted, That if it shall happen that there shall not be any Parish Church or Chapel within any such Parish or Chapelry or Union, or that there shall not be any Church or Chapel fit for the Celebration of Divine Worship within such Parish, Chapelry or Union, the posting up of a Notice of such Vestry on some conspicuous public Place in the Market Town wherein or nearest to the Place wherein such Vestry shall be intended to be held, and the delivering Three true Copies of such Notice to Three Householdors of such Parish, Chapelry or Union respectively, shall be deemed sufficient Notice of every such Vestry; and the Notices required and directed by this Act shall be good and sufficient Notices of Vestries required or authorized to be holden by Law for any Purpose whatsoever.

How Notices to be given where there is no Parish Church.

VI. And be it further enacted, That from and after the Commencement of this Act, no Person professing the Roman Catholic Religion shall be compelled or compellable to fill or serve the Office of Churchwarden or Chapelwarden of or in any Parish, Chapelry or Union in *Ireland*, either in Person or by Deputy; any Thing in any Act or Acts in force in *Ireland*, or any Law, Custom or Usage to the contrary in anywise notwithstanding.

Roman Catholics not compellable to serve as Churchwardens.

VII. And for the more orderly Conduct of Vestries; Be it further enacted, That in case the Incumbent or Curate, or Minister acting as Curate of any Parish, Union or Chapelry, shall be present at any Vestry, it shall be lawful for such Incumbent, Curate or Minister to sit and act as Chairman of such Vestry; and in case such Incumbent, Curate or Minister shall not be present at such Vestry, then it shall be lawful for the Inhabitants present and entitled to vote at such Vestry to elect and appoint any Person

Incumbent to be Chairman of Vestry, if absent another Chairman may be chosen.

Chairman to
have casting
Vote.

Minutes of
Vestry to be
signed and en-
tered.

Vestry Books
and other Do-
cuments to be
preserved by
Incumbent.

Exception.

Destroying or
detaining the
same.

Penalty.

Civil or Crimi-
nal Proceed-
ings may be in-
stituted against

to be Chairman of such Vestry, who shall be of the full Age of Twenty one Years, and entitled to vote at such Vestry, and who shall for One Year next immediately preceding the holding of such Vestry have been assessed and charged with and shall have paid Parish Rates, and such Person shall act as Chairman, and shall preside at such Vestry accordingly; and in Cases of Equality of Votes upon any Question arising at such Vestry, the Chairman shall, in addition to such Vote as he may be entitled to give as Incumbent, Curate, Minister or Inhabitant of such Parish, Union or Chapelry, have the casting Vote; and Minutes of the Proceedings, Resolutions and Acts of every such Vestry shall be fairly and distinctly entered in the Vestry Book of the Parish, or in a Book to be provided for the Purpose, at the Expence of the Parish, Union or Chapelry, by the Churchwarden or Chapelwarden, and shall be signed by the Incumbent, Curate, Minister or other Chairman, or by the Churchwardens or Chapelwardens or Warden, and by such other Inhabitants, present and qualified to vote at such Vestry, as shall think fit to sign the same.

VIII. And be it further enacted, That as well the Vestry Book required to be kept by this Act, as also all former Vestry Books and other Parish Books, and all Rates, Assessments and Applotments, Accounts and Vouchers of Churchwardens and Chapelwardens, and other Parish Officers, and all other Deeds, Writings, public Papers or Documents whatever, of or belonging or relating to any Parish, Union or Chapelry in *Ireland*, save and except such as relate to the Composition for Tithes, shall be from time to time deposited with and kept and preserved by the Incumbent of such Parish, Union or Chapelry, or in such Place and Manner, or by such Person or Persons, as such Incumbent shall direct and appoint; and if any Person in whose Hands or Custody any such Books, Rates, Assessments, Applotments, Accounts and Vouchers, Deeds, Writings, Papers or Documents, shall be, shall wilfully or negligently destroy, obliterate or injure the same or any of them, or shall permit or suffer the same or any of them to be destroyed, obliterated or injured, or after reasonable Notice and Demand shall refuse or neglect to deliver over the same to such Person or Persons as may be appointed to have the Care or Custody of the same, or to receive the same, or shall refuse or neglect to deposit the same in such Place as shall by the Order of any such Incumbent be directed, every Person so offending, and being lawfully convicted thereof, by Confession or on the Oath of One or more credible Witness or Witnesses, by and before Two of His Majesty's Justices of the Peace, upon Complaint thereof to them made, shall for every such Offence forfeit and pay such Sum, not exceeding Twenty Pounds nor less than Forty Shillings, as shall by such Justices be adjudged and determined, and the same shall be recovered and levied by Warrant of such Justices, in such manner and by such Ways and Means as Costs in the Cases hereafter mentioned are to be and may be recovered and levied by Warrant, and applied to the Use of the Parish, Union or Chapelry: Provided always, that if any Person shall unlawfully retain any such Books, Rates, Assessments, Applotments, Accounts, Vouchers, Deeds, Writings, Papers or Documents, or shall refuse or neglect to deliver the same or any of them, to any Person

Person or Persons authorized to receive the same as aforesaid, or shall obliterate, destroy or injure the same or any of them, or shall permit or suffer the same to be obliterated, destroyed or injured, every such Offender may in every such Case be proceeded against in any of His Majesty's Courts, civilly or criminally, in like manner as if this Act had not been made.

Parties so offending.

IX. And be it further enacted, That in all Cases where, under and by virtue of any of the Provisions contained in the said Act of the Fourth Year of His present Majesty's Reign, for amending the Laws for collecting Church Rates and Money advanced by the Trustees and Commissioners of the First Fruits of Ecclesiastical Benefices, and for the Improvement of Church Lands in *Ireland*, any Parish, Union or Chapelry, or any District or Portion thereof, can and may be lawfully assessed and rated to contribute for or towards the building, enlarging or repairing of any Church or Chapel, or the providing necessary Charges belonging to the same, it shall be lawful for the Inhabitants of every such Parish, Union or Chapelry, or any District or Portion thereof (if otherwise duly qualified), during such Time and so long as they shall respectively be bound to contribute to such Cesses and Rates according to the Provisions of the said recited Act, and no longer, to vote at all Vestries to be held for or in respect of the Assessment and Applotment of the Sum or Sums respectively to or in respect whereof such Contribution is to be made, and also (if duly qualified) to vote in the Election of the Churchwardens and Chapelwardens, and in the Settlement of the Accounts of such Churchwardens and Chapelwardens, and also in the Election of the other Parish Officers of the Parishes respectively to the Cesses and Rates whereof they are or shall be so bound and liable to contribute respectively as aforesaid, as if they were respectively Inhabitants of the same Parishes respectively; and such Inhabitants shall also be eligible to the Office of Churchwarden or Chapelwarden in such Parish, Chapelry or Union, any thing in the said recited Act to the contrary notwithstanding: Provided always, that nothing hereinbefore contained shall entitle any such Inhabitant to vote at any Vestry at which any such Inhabitant is or may be by this present Act or any other Act expressly disqualified from voting.

Inhabitants of Parishes who contribute to Repairs of Churches under 4 G. 4. c. 86. § 7. may vote in Election of Churchwardens, &c.

Except Persons disqualified by Act.

X. And Whereas Doubts have been entertained whether any Assessments can be lawfully made of any Sums for providing Coffins for the Interment of poor Persons dying in any Parish, Union or Chapelry in *Ireland*; Be it therefore enacted, That from and after the Commencement of this Act Assessments may be lawfully made for such Purposes: Provided always, that no Sum or Sums shall be expended by any Churchwarden or Chapelwarden of any Parish, Union or Chapelry, for any such Purposes, unless a Certificate be first given to such Churchwarden or Chapelwarden, signed by Six or more Householders who are rated to and shall have paid the Parish Cess in such Parish, Union or Chapelry, of whom a Justice of the Peace (if any such be resident within the Parish) shall be One, that in their Opinion it is proper and necessary that such Coffins shall be respectively so provided at the Expence of such Parish, Union or Chapelry,

Assessments may be made for Coffins provided for poor People, on Certificate of Six Inhabitants.

and that the Relatives of the Deceased have not the Means to defray the Expence thereof.

Assessments shall be made in *Easter Week*; if not then, at a Time to be appointed by the Bishop.

Assessments for Repair of Churches when necessary.

No Assessment for Incidents, &c. not specified.

No Appeal against Rates to Ecclesiastical Jurisdictions.

Vestry shall appoint Churchwardens or others, to applot Assessments.

Notices of Assessments.

XI. And be it further enacted, That every Assessment of any Sum or Sums for or in respect of all or any of the Matters in this present Act mentioned, including Salaries for Parish Officers, shall be made in *Easter Week*: Provided always, that if in any Case such Assessment shall not have been made in *Easter Week*, it shall be lawful for the Bishop of the Diocese in which such Parish, Chapelry or Union shall be situate, to appoint any other Day and Time for the making of any such Assessment, to be signified and directed in Writing by such Bishop to the Churchwardens or Churchwarden of any Parish, Chapelry or Union; and that any Assessment of any Sum or Sums for or towards the Repairs of Churches or Chapels, or providing all Things necessary for the Celebration of Divine Service therein, may be also made at all other Times of the Year when and as it shall be necessary; and that no Assessment shall be allowed at any Vestry hereafter to be held, as for incidental Expences, or for Contingencies generally, or for any Purpose, Matter or Thing not specified in such Assessment; and that all and every the Sums assessed and applotted shall be applied to the Uses and Purposes respectively in the respective Assessments mentioned, or by this Act authorized or directed, and none other.

XII. And be it further enacted, That from and after the Commencement of this Act, no Appeal shall be made to or received by any Ecclesiastical Judge against any Rate or Assessment or Applotment made in any Parish, Union or Chapelry, or any Thing therein contained; nor shall the same be drawn in question by or before any Ecclesiastical Jurisdiction; nor shall any Suit be commenced before any Ecclesiastical Judge, for the Recovery of any Sum so assessed or applotted at any Vestry.

XIII. And be it further enacted, That whenever any Assessment or Tax shall have been made, agreed upon and imposed at any Vestry, for or in respect of any Matters or Things which may by this Act, or any other Act or Acts of Parliament now in force or hereafter to be made, be assessed upon any Parish, Chapelry or Union, the major Part of the Inhabitants present and qualified to vote at such Vestry shall at such Vestry appoint the Churchwardens or Chapelwardens, or One of such Churchwardens or Chapelwardens, together with some other Person or Persons, or any Two or more Persons, not being Churchwardens or Chapelwardens, duly to applot the Sums so assessed upon the Inhabitants of any such Parish, Union or Chapelry, according to the respective Values of their Lands and Tenements within such Parish, Union or Chapelry; and that the Churchwardens or Chapelwardens of every such Parish, Chapelry or Union, shall afterwards give public Notice of the same, by causing a true and correct Copy of such Rate or Assessment, containing the Names of such Applotters, signed by the Incumbent or Curate, or Minister acting as such, or other Person who presided at such Vestry, or by the Churchwardens or Chapelwardens, or One of them, to be posted and affixed, within Three Days next after the making of such Rate or Assessment (excluding the Day of the making thereof) on the outer Door of every Church or Chapel in such Parish

Parish, Chapelry or Union, and on the Door of some One Roman Catholic Chapel and Presbyterian Meeting House, if any, within the same; and if there be no Church or Chapel within such Parish, Chapelry or Union, or no Church or Chapel fit for the Celebration of Divine Service, then on some conspicuous Place in the Market Town wherein or nearest whereto such last mentioned Vestry shall have been holden, and by delivering Three true Copies of the same, signed as aforesaid, to Three Household-ers of such Parish, Chapelry or Union respectively.

XIV. And be it further enacted, That it shall and may be lawful to and for any Inhabitant or Inhabitants of any such Parish, Chapelry or Union, liable to the Payment of any Parish Cesses (of whatever religious Persuasion any such Inhabitant or Inhabitants may be), within Fourteen Days next after the Expiration of the said Three Days by this Act allowed for the posting of the Copy of such Rate or Assessment as and aforesaid, exclusive of such Three Days, to appeal to the Justices of the Peace at the First General or Quarter Sessions of the Peace or Adjournment thereof, which shall be holden next after the End and Expiration of the said Term of Fourteen Days, for the County, County of a City, Town or Place wherein the said Vestry was held, against any such Rate or Assessment generally, or on account of the Illegality or Excess of any Item or Charge, Salary or Allowance therein mentioned: Provided always, that all and every Persons and Person so appealing shall first give Notice in Writing, signed with the Names and in the Handwriting of all and every the Persons or Person so appealing, to the Incumbent or Curate, or to both or One of the Churchwardens or Chapelwardens, and Three Household-ers of such Parish, Chapelry or Union, of their or his Intention so to appeal.

Inhabitants liable to Payment of Parish Cess, may appeal against Assessment to Justices at Sessions, giving Notice as herein mentioned.

XV. And be it further enacted, That within Fifteen Days next after the End and Expiration of the Period of Fourteen Days hereby allowed for appealing against any such Rate or Assessment as aforesaid, or next after the making of any Order or Determination upon such Appeal, if the same shall be made (as the Case may be), and exclusive of the Day whereon such Order or Determination shall be so made, or the last Day of such Term of Fourteen Days, the Churchwardens or Chapelwardens, or other Persons appointed according to this Act to applot such Rate or Assessment shall proceed impartially and fairly to applot, upon the Inhabitants of every such Parish, Chapelry or Union, the Sum and Sums contained in and imposed by such Rate or Assessment; and such Applotters shall, on or before the Day next after the End and Expiration of such Term of Fifteen Days, deliver or cause to be delivered such Applotment, signed by such Applotters or the major Part of them, to the Incumbent or Curate, or Minister acting as such, or to some One of the Churchwardens or Chapelwardens of such Parish, Chapelry or Union, not being an Applotter as aforesaid; and the Person so receiving such Applotment shall write and indorse thereon the Day of the Week, Month and Year on which he shall so receive the same, and shall on the *Sunday* next following his Receipt thereof cause due Notice to be given of the holding a Vestry in such Parish, Chapelry or Union within Ten Days then next fol-

Applotment shall be made within Fifteen Days after Time allowed for Appeal, or after Determination thereon;

and delivered to the Incumbent, who shall call a Vestry within Ten Days.

Notice thereof.

At which Vestry Applotment shall be confirmed, being first amended, if requisite.

Applotment to be signed &c. by Incumbent, and Two Transcripts delivered to Churchwardens; and Original preserved.

Appeal against Applotment.

Notice thereof.

Mode of hearing and determining Appeals against Assessments and Applotments.

lowing, for the Purpose of taking such Applotment into Consideration, and at such Vestry such Applotment shall be, in the first Place, laid before such Vestry by the Incumbent or Curate or other Person presiding at such Vestry; and it shall and may be lawful for any Inhabitant then present, and entitled to vote at such Vestry, to make any Objection or Objections to or on account of any Charge, Item, Matter, or Thing contained in such Applotment or omitted therefrom, and which ought to have been contained therein; and it shall be lawful for the major Part of the Inhabitants present and qualified to vote at such Vestry, and they are hereby authorized and empowered, on hearing all Parties who shall object as aforesaid, to make such Alterations, Changes, Corrections and Amendments in and of the said Applotment or any Part or Item thereof, and to supply any Defects and Omissions therefrom, in such manner as to them shall seem just and reasonable, and then finally to confirm, ascertain and settle such Applotment; and thereupon the Incumbent or Curate, or other Person presiding at such Vestry, shall in the said Vestry sign his Name at the Foot of such Applotment when so confirmed, and shall certify that such Applotment was confirmed at such Vestry; and Two several Transcripts shall be made of such Applotment, namely, One for each Churchwarden or Chapelwarden of such Parish, Union or Chapelry; and the original Assessment and Applotment shall in all Cases be safely kept among the Papers and Documents of such Parish, Union or Chapelry.

XVI. And be it further enacted, That if any Person shall feel himself or herself aggrieved by or dissatisfied with the Sum applotted upon any Lands or Tenements, as compared with the Sum or Sums applotted upon any other Lands or Tenements in the same Parish, under any Applotment to be made by virtue of this Act, it shall be lawful for such Person so feeling himself or herself aggrieved, at any Time before the Expiration of Ten Days next immediately after and exclusive of the Day of the Confirmation of such Applotment, to appeal to the Justices of the Peace at the then next General Sessions of the Peace, or any Adjournment thereof, for the County or Place within which the Vestry shall have been held at which such Applotment was confirmed, which shall be holden after the End and Expiration of such Ten Days: Provided always, that every Person so appealing shall first give Notice in Writing, signed with the Names and in the Handwriting of all and every Persons so appealing, to the Incumbent or Curate, or to both or One of the Churchwardens or Chapelwardens, and Three Householdors of such Parish, Chapelry or Union, of their or his Intention so to appeal.

XVII. And be it further enacted, That every Appeal against any such Assessment or Applotment respectively shall be made in Writing, signed with the Names and in the Handwriting of all and every the Person or Persons appealing, setting forth the Grounds of every such Appeal, and shall be delivered within the said Term of Fourteen Days or Ten Days respectively, as the Case may be, to some One Justice of the Peace for such County, County of a City, Town or Place; and a Copy thereof shall also be delivered within the said Term of Fourteen Days or Ten Days respectively to the Incumbent or Curate, or to One of the Church-

Churchwardens or Chapelwardens of such Parish, Chapelry or Union; and the Person or Persons so appealing shall, on the Day of his or their lodging such Appeal as aforesaid, enter into a Recognizance in the Sum of One hundred Pounds, before such Justice, or any other Justice of the Peace for such County, County of a City, Town or Place, with Two sufficient Sureties, or without Sureties if such Justice of the Peace shall in his Discretion think fit to accept the sole Recognizance of the Person or Persons so appealing; and every such Recognizance shall be conditioned to prosecute such Appeal, and to abide or submit to such Order as may be made thereon, and to pay such Costs as shall be awarded by the Justices at such General or Quarter Sessions of the Peace, or Adjournment thereof; and the Justices at the said next Sessions of the Peace (of whom, if such Session shall be holden for the County of *Dublin*, the Chairman of the said Sessions, or Barrister acting as his Deputy or Substitute for the Time being, shall be One; or if such Sessions shall be holden for the County of the City of *Dublin*, the Recorder of the City of *Dublin*, or Barrister acting as his Deputy or Substitute for the Time being, shall be One; or if such Sessions shall be holden for any other County, the Assistant Barrister for the Time being for such County, or Barrister acting as such, shall be One; or if such Session shall be holden for any County of a City or County of a Town, the Recorder or Person acting as such shall be One,) shall, upon due Proof of such Notice of Appeal having been given as aforesaid, and of the entering into such Recognizance as aforesaid, hear and finally determine the Cause and Matter of every such Appeal, by the Oaths of Witnesses or otherwise, in a summary Way, and shall award such Costs either to the Party or Parties appealing or to the Churchwardens or Chapelwardens of such Parish, Chapelry or Union as such Justices at such Sessions shall think proper; and it shall be lawful for such Justices at such Sessions, where the Appeal shall be against the Rate or Assessment, to strike out or correct any Item or Charge, Salary or Allowance against which Complaint has been made; and where such Appeal shall be against the Applotment, it shall be lawful for such Justices to correct, alter and amend such Applotment, as to such Justices at such Sessions shall seem meet: Provided always, that no Appeal against any Applotment shall in any way affect the Assessment with reference to which such Applotment shall have been made.

Appeal not to affect the Assessment.

XVIII. Provided also, and be it enacted, That no Rate shall be quashed or altered on account or in respect of any Excess in the total Amount of such Rate, where the Amount of such Excess shall not in the whole exceed the Proportion of One Farthing per Acre.

In what Case only Rate quashed for Excess.

XIX. And be it further enacted, That immediately after the End and Expiration of the Term of Ten Days, in case no Appeal shall, as aforesaid, be made against the said Applotment, or otherwise within Three Days next after the making any Order or Determination of the Justices at Sessions, in case any Appeal shall have been made against such Applotment, as the Case may be, (such Three Days to be exclusive of the Day of making such Order or Determination on Appeal, as the Case may be,) the Church-

After Expiration of Time for Appeal, or within Three Days' Determination, Churchwardens to collect the Rates.

Churchwardens or Chapelwardens of the Parish, Union or Chapelry for which such Applotment shall be made shall and they are hereby required, with all convenient Speed, to proceed to levy, collect and receive of and from the Inhabitants of every such Parish, Union or Chapelry, the several Sums so on them respectively charged and applotted.

Rates not exceeding 20^l. may be recovered by Civil Bill :

XX. And be it further enacted, That all and every Rate and Rates and Sum and Sums of Money which shall be assessed on the Inhabitants of any Parish, Union or Chapelry, according to the Directions of this Act, after the same shall have been respectively applotted, shall and may be levied and recovered from such Inhabitants in manner and by the means hereafter mentioned ; that is to say, in case any Inhabitant or Inhabitants of any Parish, Union or Chapelry shall refuse or neglect to pay any Sum or Sums of Money, not exceeding Twenty Pounds, assessed and applotted under or by virtue of this Act, after Demand of Payment thereof made by such Churchwardens or Chapelwardens, or One of them, or by any Person or Persons empowered by them, or One of them, to demand the same, it shall and may be lawful for such Churchwardens or Chapelwardens to recover such Sum or Sums of Money by Petition or *English Bill*, usually called a Civil Bill, setting forth (without specifying any other Cause of Action) that the Sum demanded by such Civil Bill is due to the Plaintiffs therein as Churchwardens or Chapelwardens, as the Case may be, " in the Parish, Union or Chapelry of _____ by virtue of an Applotment of a Parish Cess, confirmed on the Day of _____ in the _____," stating the Name of the Parish, Union or Chapelry, and the Day, Month and Year of confirming the Applotment on which such Proceedings shall be had.

Or by Order of Two Justices.

XXI. And be it further enacted, That in case any Churchwarden or Chapelwarden shall think fit so to do, it shall be lawful, instead of proceeding by Process of Civil Bill for Nonpayment of any Sum or Sums assessed and applotted as aforesaid, for any Churchwarden or Chapelwarden to prefer a Complaint in Writing, to the Effect last aforesaid, to any One Justice of the Peace of the County, County of a City, Town or Place wherein the Person or Persons so neglecting or refusing to pay any Sum or Sums so applotted shall reside ; and it shall be lawful for such Justice of the Peace, by Warrant under his Hand and Seal, to summon and convene before himself and any other Justice, or before any Two or more Justices of the Peace for such County, County of a City, Town or Place, the Person or Persons so complained of ; and such Two or more Justices of the Peace, when met or assembled, shall examine into the Matter of such Complaint on Oath (which Oath the Justices so met or assembled shall and are hereby empowered to administer), and shall by Order under the Hands and Seals of such Two Justices, or of the major Part of such Justices so met or assembled, direct the Payment to such Churchwarden or Chapelwarden respectively of the Sum and Sums due and payable from the Party complained against under such Applotment, together with a Sum certain as and for such reasonable Costs and Charges as to such Justices shall seem meet ; and upon Refusal or Neglect of such Party or Parties to pay the Sum

Upon Neglect or Refusal to

or Sums so by such Justices directed to be paid, it shall and may be lawful for any One of the said Justices, or for any One Justice of the Peace for such County, County of a City, Town or Place, by Warrant under his Hand and Seal, after the End and Expiration of Eight Days, and not sooner, from the making of any such Order as aforesaid, and exclusive of the Day of making thereof, to empower the Churchwardens or Chapelwardens, or either of them, or any Person named by them or either of them, and acting at their Peril, to levy the Money thereby ordered to be paid, together with the Amount of such further Costs, if any, incurred after the making of the said Order, as such Justice may judge reasonable, by Distress and Sale of the Cattle, Goods or Chattels, within any Part of such County, County of a City, Town or Place of the Person or Persons so complained against, his Executors or Administrators, rendering the Overplus to him, her or them, the necessary Charges and Expences of distraining being thereout first deducted as directed by such Justice; and if sufficient Distress cannot be found within such County, County of a City, Town or Place, then on Oath thereof made before any One or more Justice or Justices of the Peace of any other County, County of a City, Town or Place or Jurisdiction, in which any of the Cattle, Goods or Chattels of such Person or Persons shall be found, (which Oath or Oaths such Justice or Justices shall administer, and certify by indorsing in his or their Handwriting his or their Name or Names on the Warrant granted to make such Distress,) the Cattle, Goods and Chattels of such Person or Persons so refusing or neglecting to pay as aforesaid shall be subject and liable to such Distress and Sale in such other County, County of a City, Town or Place, or Jurisdiction where the same may be found, and may by virtue of such Warrant and Certificate be distrained and sold in the same Manner as if the same had been found within the County, County of a City, Town or Place wherein the Person or Persons may reside, who shall be so liable, and shall refuse to pay as aforesaid.

pay after Eight Days from such Order, the same may be levied by Distress.

XXII. Provided always, and be it enacted, That whenever any Rate or Assessment or Sum of Money shall be due under any Assessment or Applotment made by the Authority of this present Act, from any Corporation Aggregate, Ecclesiastical or Civil, or Public Company, College, Hall, Guild or Fraternity, a Demand of Payment thereof from the Treasurer, Registrar, Secretary, Clerk or Agent, or Person or Persons acting as such, of such Corporation, Company, College, Hall, Guild or Fraternity, shall be deemed and taken to be a sufficient Demand thereof, within the true Intent and Meaning of this present Act, to all Intents and Purposes; and it shall and may be lawful for any Churchwarden or Chapelwarden, at his or their Election, to have, use and take all and every Remedy and Means, by Action at Common Law or otherwise, for the Recovery of any Sum or Sums applotted by virtue of this Act, against any Person or Persons, or Body or Bodies Politic or Corporate, as such Churchwardens or Chapelwardens might lawfully do in case a specific Remedy had not been given by this Act, any Thing hereinbefore contained to the contrary in anywise notwithstanding; and that all Occupiers of Lands or Tenements within any Parish, Union or Chapelry, shall,

Demand against Public Officers of Corporation, sufficient.

Churchwardens may proceed so Rate by Action, &c.

Occupiers of Lands deemed

Inhabitants of
Parishes.

shall, as to any Tax, Rate, Assessment and Applotment made by Authority of this Act, for or in respect of the building, rebuilding, repairing or enlarging of Churches or Chapels, or for the providing all Things necessary for the due Celebration of Divine Service, and other necessary Charges, or for the Maintenance of Parish Clerks, and Clerks of Chapels of Ease, and Salaries of Parish Officers, or otherwise, be and be construed to be Inhabitants of and within any such Parish, Union or Chapelry, whether such Occupier or Occupiers do or do not reside or dwell within the same.

Whenever any
Church or
Chapel shall be
in want of Re-
pairs, &c.
Estimate of the
Amount to be
prepared and
certified, and
Monition is-
sued to the
Churchwardens
to summon a
Vestry for
making a Rate
for that Pur-
pose.

XXIII. And be it further enacted, That whenever at any Time after the Commencement of this Act the Church or Chapel of any Parish, Union or Chapelry shall be in want of Repairs, or of any Matters or Things necessary for the due Celebration of Divine Service therein, it shall be lawful for the Archbishop or Bishop of the Diocese wherein such Church or Chapel shall be situate, or in case of the Illness or Absence from *Ireland* of such Archbishop or Bishop, or during the Vacancy of the See, then for the Vicar General of such Diocese from time to time to direct and cause an Estimate to be made of the Amount of the Sum required for such Repairs or other Purposes, and to signify his Approbation of such Estimate, by certifying such Approbation at the Foot of such Estimate, and to transmit such Estimate, with such Certificate of Approbation thereof, to the Churchwardens or Chapelwardens or Warden of such Parish, Union or Chapelry, and to issue a Monition, under the Consistorial Seal of such Diocese, directed to and requiring the Churchwardens or Chapelwardens or Warden of such Parish, Union or Chapelry, to cause a Vestry to be summoned and to meet within a Time to be therein specified, not being less than Twenty Days from the Day of the Date of such Monition, for the Purpose of making an Assessment on the Inhabitants of such Parish, Union or Chapelry, for raising the Amount required by such Estimate and Certificate for the repairing such Church or Chapel, and providing Things necessary as aforesaid for the due Celebration of Divine Service therein, or for either of the said Purposes, as the Case may require, and for defraying the Expence of such Estimate, and the reasonable Costs and Charges attending the Proceedings thereon; and such Monition shall be served on such Churchwardens or Chapelwardens or Warden, by the Delivery of true Copies or a true Copy of such Monition, attested by the Registrar of the said Diocese or his Deputy, or by the Persons or Person acting as such, to such Churchwardens or Chapelwardens, or One of them, or to some Person above the Age of Sixteen Years, at the Place or Places of Abode of such Churchwardens or Chapelwardens, or One of them, within Three Days next after the Date of such Monition, and exclusive of the Day of such Date, and by at the same Time shewing to such Churchwardens or Chapelwardens or other Person, or One of them, such original Monition under Seal.

How Monition
to be served.

Churchwarden
to give Notice
of Vestry ac-
cordingly.

XXIV. And be it further enacted, That within Seven Days next after such Service, such Churchwardens or Chapelwardens or Warden shall cause Notice to be given of a Vestry to be held in such Parish, Union or Chapelry, for the Purposes aforesaid, pursuant

suant to the said Monition, and within the Time limited thereby for holding such Vestry.

XXV. And be it further enacted, That if at any Vestry so to be summoned, an Assessment shall not be made on the Inhabitants of such Parish, Union or Chapelry, for the Purposes and to the Amount mentioned in such Monition, or if such Vestry shall not meet and assemble, it shall be lawful for the Churchwardens or Chapelwardens or Warden of such Parish, Union or Chapelry, and they are hereby authorized and required, immediately after the holding of every such Vestry, if such Vestry shall meet, or otherwise upon the Day and Place appointed for the holding of such Vestry, by a Writing or Instrument signed by such Churchwardens or Chapelwardens, or One of them, dated on the Day appointed for the holding such Vestry, to make an Assessment upon the Inhabitants of such Parish, Union or Chapelry, of such Sum or Sums of Money as shall be by the said Monition stated to be necessary for the making of such Repairs, and providing Things necessary for the due Celebration of Divine Service in the Church or Chapel thereof, or for either of the said Purposes, as the Case may require; and such last mentioned Assessment shall be of the like Force and Effect, to all Intents and Purposes, as if the same had been made at any Vestry summoned for that Purpose.

XXVI. And be it further enacted, That such Churchwardens or Chapelwardens, or One of them, shall, within Fifteen Days next after the Date and exclusive of the Day of the Date of such Assessment to be made by them or him, or within Fifteen Days after the Determination of any Appeal against such Assessment, applot the Sum or Sums so by him or them assessed fairly and impartially upon and among the Inhabitants of such Parish, Union or Chapelry, and shall truly date, sign and certify every such Applotment, when made, to be just and fair, and shall, on the Day next after the Day of the Date of such Applotment, deliver the same, so signed and certified, to the Incumbent or Curate or Minister acting as Curate of such Parish, Union or Chapelry; and such Incumbent or Curate or Minister shall indorse upon such Applotment the Time of his Receipt thereof, and shall on the then next following *Sunday* cause Notice to be given of a Vestry to be held in and for such Parish, Union or Chapelry, within Ten Days then next ensuing, in order to take such Applotments into Consideration; and at such Vestry so to be holden, such and the same Acts and Proceedings shall and may be had, done and taken, and such Objections made to such Applotment, and such and the same Powers shall and may be used and exercised by the Inhabitants of the Parish, Union or Chapelry, in such Vestry assembled, in relation thereto, as are and is hereinbefore granted, given, provided and enacted of and concerning the Acts and Proceedings to be had, done and taken in Vestries to be held for taking into consideration Applotments made of Cesses imposed by Inhabitants in Vestry, and the Adjustment, Settlement, Ascertainment and Confirmation thereof; and such Appeals may lawfully be entered and made against any Applotment of Sums assessed by any Churchwardens or Chapelwardens so confirmed as aforesaid in such Vestry, and under and subject to such and the same Rules, Regulations, Conditions, Restrictions and Pro-

On failure of Assessment by Vestry, Churchwardens shall make a Rate, which shall be as valid as if made by Vestry.

Churchwardens shall make Applotment of such Assessment, and deliver it to Incumbent, who shall call a Vestry to consider same.

Such Applotments liable to Confirmation and Appeal as other Applot-

visoes,

ments under
Act.

On Neglect of
Vestry to con-
firm Applot-
ment, the same
shall be con-
firmed by
Churchwar-
dens.

Appeal against
such Applot-
ment, after Con-
firmation by
Churchwarden.

All Regula-
tions as to Ap-
plotments in
Vestry applied
to Applotments
by Church-
wardens.

visoes, as are hereinbefore mentioned and provided and enacted of and concerning the Applotment of Sums assessed by the Inhabitants in Vestry assembled.

XXVII. And be it further enacted, That if the Inhabitants assembled in any such Vestry holden for taking into consideration the Applotment of Sums assessed by any Churchwardens or Chapelwardens, or the major Part of such Inhabitants, shall refuse to take such Applotment into consideration, or shall neglect or omit at such Vestry finally to settle, ascertain and confirm the same, or if such Vestry shall not be holden pursuant to such Applotment, the Applotment so made by any such Churchwarden or Chapelwarden as aforesaid shall, upon the Day appointed for the holding of such Vestry, be signed, settled, ascertained and confirmed, and certified as being so confirmed, by such Churchwardens or Chapelwardens respectively, and shall be deemed, construed and taken, to all Intents and Purposes, as absolutely settled, ascertained and confirmed, without any other or further Confirmation by the Inhabitants in Vestry, or other Signature to or Certificate thereof.

XXVIII. Provided always, and be it enacted, That it shall be lawful for any Person or Persons, being an Inhabitant of such Parish, Union or Chapelry, and liable to the Payment of any Sum under such Applotment, to appeal against such Applotment within Ten Days next after and exclusive of the Day of the Confirmation of the same by such Churchwarden or Chapelwarden, to the Justices of the Peace at the next General or Quarter Sessions of the Peace in and for the County, County of a City, Town or Place within which such Parish, Union or Chapelry shall be situate, under the like Conditions, Limitations and Restrictions, and in like Manner and Form in every Particular, and on performing all and every the Matters and Things by this Act required to be done and fulfilled by any Person or Persons appealing against any Applotment confirmed in Vestry; and immediately from and after the End and Expiration of such Ten Days, or immediately from and after the Day of the making of the Order and Determination of the Justices on any such Appeal, as the Case may be, such Churchwarden or Chapelwardens or Warden shall proceed to collect and levy the Sums mentioned in every such Applotment made by them or him, in such manner, and by such and the same Ways and Means in every Particular, as by this Act are directed and provided of and concerning Applotments of Sums assessed by the Inhabitants in Vestry, and shall apply all such Sums, when levied and collected, to the Purposes specified and required in and by the Monition under and by virtue of which such Assessment and the Applotment thereof shall have been made pursuant to this Act.

XXIX. And be it further enacted, That all and every the Rules, Regulations, Provisoes, Powers and Conditions in and by this Act made, granted and enacted, of and concerning Applotments to be settled, ascertained and confirmed by the Inhabitants of any Parish, Union or Chapelry in Vestry, and concerning Appeals therefrom, and the Collection and levying of the Sums thereby applotted, shall be and the same are hereby applied to, of and concerning and in respect of all Applotments to be made and confirmed

firmed by such Churchwardens or Chapelwardens or Warden, and the appealing therefrom, and the collecting of all or any of the Sums thereby applotted; save and except only so far as by this Act is otherwise specially enacted and provided.

XXX. And be it further enacted, That every Churchwarden and Chapelwarden of every Parish, Union or Chapelry, whether he shall have served the Office in Person or by Deputy, shall at the Vestry which shall be holden in and for such Parish, Union or Chapelry, for the Election of his, and their next and immediate Successor or Successors, Churchwardens or Chapelwardens, deliver or cause to be delivered in such Vestry, to the Incumbent or Curate, or Minister acting as such, or other Person presiding at such Vestry, a full, true, correct and particular Account of the Receipts and Disbursements of such Churchwarden or Chapelwarden, of every Kind and Description, for and on account of such Parish, Union or Chapelry, and specifying therein the Arrears, if any, then remaining due in respect of any Rates or Assessments, and by whom by Name each Part of such Arrears is due and owing; and every such Churchwarden or Chapelwarden shall verify such Account by Oath, to be by him respectively taken in such Vestry before the Incumbent, Curate or Minister acting as such, or other Person presiding at such Vestry as aforesaid, and which Oath and Oaths it shall be lawful for every such Incumbent, Curate or Minister acting as such, or other Person so presiding, to administer, or otherwise by the Affidavit of such Churchwarden or Chapelwarden respectively, to be then and there exhibited, sworn before any Master in Chancery or Master Extraordinary in Chancery, or before any Justice of the Peace, or Judge or Surrogate of any Ecclesiastical Court of any Diocese.

Churchwardens shall account on Oath at the Vestry to be held for the Choice of their Successors.

XXXI. And be it further enacted, That immediately after the other necessary Business of such Vestry shall be concluded, the Incumbent or Curate or Minister, or other Person presiding thereat, shall and he is hereby required to adjourn such Vestry to a certain Day, not later than Thirty Days nor sooner than Twenty Days afterwards, (or, if he shall so think fit, to the Day on which the Vestry shall be holden for the Applotment of any Assessment made in *Easter Week* pursuant to this Act,) to be then holden for the Purpose of examining, vouching and settling the Accounts of such Churchwardens or Chapelwardens respectively; and at such Vestry so to be held by and pursuant to such Adjournment, it shall be lawful for the Inhabitants entitled to be present and vote at such Vestry, and every of them, to examine and investigate such Accounts respectively, and any Vouchers to be produced for the same and for every Item thereof; and the Majority of the Inhabitants of such Parish, Union or Chapelry, then and there present, shall finally adjust and settle such Accounts, and strike the Balance on the Foot thereof.

Adjourned Vestry shall be held within Thirty Days, for examining and adjusting Churchwardens' Accounts.

XXXII. And be it further enacted, That as well on such Examination and Settlement of Accounts, as on any Settlement of the Accounts of any Churchwarden or Chapelwarden before Justices of the Peace at Sessions in manner hereafter mentioned, as also in any Action or Suit or Civil Bill to be brought against any such Churchwarden or Chapelwarden who ought to account

Applotments Evidence against the Churchwarden to charge him with the Amount.

as aforesaid; the Applotment of every such Parish Rate or Assessment confirmed as is provided by this Act, or an authentic Copy thereof attested by the Incumbent or Curate or Minister acting as such, shall be sufficient Evidence, *prima facie*, to charge such Churchwardens or Chapelwardens respectively with the whole and full Amount of the Sum and Sums thereby appearing to be applotted.

No Credit for Sums not included in Account, or not disbursed by Authority.

XXXIII. And be it further enacted, That no Churchwarden or Chapelwarden shall be at any Time allowed in his Account or get Credit for any Sum or Sums of Money expended by him, unless he shall specify the same in an Account so to be delivered in at the Vestry held for the Election of his Successors as aforesaid, nor for any Sum which shall not appear to have been expended under the Authority of this Act or some other Act or Acts of Parliament, or by the Authority of some Vestry held for such Parish, Union or Chapelry, under the Authority of this present Act; and all such Accounts shall be at all reasonable Times and Hours open to the Inspection and to be copied in the whole or in part by any Inhabitant or Inhabitants assessed or liable to be assessed as aforesaid.

Accounts open to Inspection.

On Refusal to account, Churchwardens shall be charged with all Sums applotted, &c.

XXXIV. And be it further enacted, That if any Churchwarden or Chapelwarden shall refuse or omit to deliver, or cause to be delivered, such their Accounts respectively, in such Vestry held for the Election of the next succeeding Churchwardens or Chapelwardens, verified as aforesaid, or if it shall appear to such Vestry that any such Churchwarden or Chapelwarden whose Accounts are so exhibited shall have refused or wilfully neglected to collect or cause to be collected any Parish Rate, Sum or Cess, assessed and applotted as in this present Act mentioned and directed, or any Part thereof, it shall and may be lawful for the major Part of the Inhabitants present at the Vestry so to be held by Adjournment for the Examination of such Accounts, and they are hereby authorized and required to charge any such Churchwarden or Chapelwarden respectively with the full Amount of the Sums applotted by any such Applotment, or with so much and such Part thereof as ought to have been and shall not have been received as aforesaid by any such Churchwarden or Chapelwarden respectively, and to charge any such Churchwarden or Chapelwarden with such Sum, as Balance, as shall appear to such Vestry to be due and owing by such Churchwarden or Chapelwarden respectively to such Parish, Union or Chapelry; and in case it shall happen that any late Churchwardens or Chapelwardens or Warden shall have been in any such Account charged with and have paid any Sum or Sums as aforesaid not actually received, but which ought to have been received by them or him, and the same or any of them shall be afterwards paid to or received by any succeeding Churchwardens or Chapelwardens or Warden, such Sum or Sums so afterwards paid in and received shall be duly accounted for and be paid to such late Churchwardens or Chapelwardens or Warden, their or his Executors or Administrators, by such succeeding Churchwarden or Chapelwarden who shall have received the same, subject nevertheless to such Credits by way of Set-off or otherwise as may lawfully be made in Account against such late Churchwarden

warden or Chapelwarden respectively by such Successor or Successors as aforesaid.

XXXV. And be it further enacted, That if any such late Churchwarden or Chapelwarden accounting or refusing or neglecting to account, shall think himself aggrieved by any Act or Determination of the major Part of the Inhabitants assembled at such adjourned Vestry, in respect of the charging such Churchwarden or Chapelwarden with any such Balance or Sum of Money, it shall and may be lawful for any such late Churchwarden or Chapelwarden respectively, jointly or severally, within Fourteen Days next after and exclusive of the Day of holding such adjourned Vestry, to appeal against such Act or Determination to the Justices at the First General or Quarter Sessions of the Peace or any Adjournment thereof, to be holden next after the End or Expiration of such Term of Fourteen Days for the County, County of a City, Town or Place, wherein such adjourned Vestry was so holden : Provided always, that every such late Churchwarden, so appealing, shall give Notice in Writing to the succeeding Churchwardens or Chapelwardens or One of them, or to the Incumbent or Curate of such Parish, Union or Chapelry, of such Intention so to appeal, and shall within the said Term of Fourteen Days deliver to some Justice of the Peace of the said County or County of a City, Town or Place, his or their Appeal in Writing, and on the Day of delivering such Appeal shall enter into Recognizance with Two sufficient Sureties before such Justice or some other Justice of the Peace for the said County, County of a City, Town or Place, in Double the Amount of the Balance or Sum so as aforesaid at the said adjourned Vestry charged against the Party so appealing, conditioned to prosecute such Appeal, and to abide and submit to the Order or Determination of the Justices at such Sessions, and to pay to the succeeding Churchwardens or Chapelwardens of such Parish, Union or Chapelry, such Sum or Sums of Money and such Costs as may by the Order or Determination of such Justices be adjudged and awarded to be paid by such Appellant or Appellants ; and the Justices at such First or next Sessions of the Peace or Adjournment thereof, (of whom the Chairman of the Sessions for the County of *Dublin*, the Recorder of the City of *Dublin* or other County of a City or County of a Town, the Assistant Barrister or Barristers for any County, or the Barrister acting for and in the Place of such Chairman, Recorder or Assistant Barrister, according to the Place of holding the said Sessions of the Peace as aforesaid, shall always be One,) upon due Proof that such Notice of appealing was given, and Recognizance was entered into as required by this Act, shall hear and determine the Matter of such Appeal ; and it shall be lawful for such Justices to examine the late and then present Churchwardens or Chapelwardens respectively, or any of them, or any Witness or Witnesses, on Oath, and to take and audit the Accounts of any such late Churchwarden or Chapelwarden, and to strike and ascertain the Balance thereof, after all just Charges and Credits, and to give such Order and Direction in respect of the Payment and Discharge of such Balance, by Instalments or otherwise, as to such Justices shall seem fit, and to award Costs to or against the Person or Persons so appealing, or to or against the then present Churchwardens or Chapelwardens

Churchwardens aggrieved by Act of Vestry may appeal to Quarter Sessions, who may ascertain Balance due.

Notice of Appeal.

Security to prosecute.

Costs.

dens of the said Parish, Union or Chapelry, as such Justices shall think fit.

Balances may be recovered by succeeding Churchwardens after the Expiration of Time of Appeal, or after Order of Sessions.

XXXVI. And be it further enacted, That immediately from and after the Expiration of such Period of Fourteen Days so allowed for such Appeal of such late Churchwardens or Chapelwardens, or from and after the making of the Order or Determination on such Appeal, as the Case may be, (the last of the said Fourteen Days, and the Day of making such Order or Determination being severally excluded,) every Sum or Balance due from any such late Churchwarden or Chapelwarden shall be and be deemed and taken in Law as a Debt of such late Churchwarden or Chapelwarden respectively to the Churchwardens or Chapelwardens for the Time being of every such Parish, Union or Chapelry, and may be sued for, levied and recovered by the Churchwardens or Chapelwardens for the Time being of such Parish, Union or Chapelry, (whether such Churchwardens or Chapelwardens shall or shall not be the immediate Successor or Successors of any such late Churchwarden or Chapelwarden,) by Action of Debt, or other proper Action or Suit, in any of His Majesty's Courts at *Dublin*, in which no Essoign, Wager of Law or Protection, nor more than One Imparlance, shall be allowed; or if such Balance or Sum be under Fifty Pounds, the same may be recovered by Civil Bill, at the Election of the Churchwardens or Chapelwardens respectively who shall sue for the same; and it shall be sufficient for the Plaintiff or Plaintiffs respectively to declare and set forth, that the Defendant or Defendants is or are indebted to such Plaintiffs or Plaintiff, as Churchwardens or Chapelwardens or Warden of such Parish, Union or Chapelry, in the Sum of Money or Balance due by virtue of this present Act, without otherwise or more specially setting forth the Cause of Action or Suit.

Any Balance found due to Churchwarden on his Account, shall be a Charge on Parish, and assessed accordingly.

XXXVII. And be it further enacted, That in case it shall happen that any Balance or Sum of Money shall be ascertained and finally settled to be due and owing to any late Churchwardens or Chapelwardens or Warden, from the Inhabitants of any Parish, Union or Chapelry, either at any Vestry holden pursuant to this Act, or by any Justices at Sessions upon the Hearing and Determination of any Appeal under this Act, such Balance shall be and become a Charge on every such Parish, Union or Chapelry, and shall be added to the Sum and Sums to be contained and assessed in the next immediately following Assessment which shall be made by the Inhabitants or the major Part of them present in Vestry for defraying the Charges of providing Things necessary for the due Celebration of Divine Service in the Church or Chapel of such Union, Parish or Chapelry, and shall be apportioned together with any other Sums so assessed, and shall be received and collected by the Churchwardens or Chapelwardens of such Parish, Union or Chapelry for the Time being, and shall by them be paid to such late Churchwardens or Chapelwardens or Warden respectively, or their respective Executors or Administrators.

Costs, &c. awarded to be paid by Churchwarden shall be a Charge on Parish;

XXXVIII. And be it further enacted, That all Costs which shall or may be awarded to be paid to any Person or Persons so appealing, by any Churchwarden or Chapelwarden for the Time being, and also the Amount of all Costs and Expences necessarily and properly incurred by any Churchwarden or Chapelwarden respectively

spectively for the Time being, of any Parish, Union or Chapelry, in and about the Defence, Recovery or Support of any Assessment or Applotment as aforesaid, or relating to any Act or Acts in Vestry, and especially if so appealed against in the whole or in part, or in the Defence of any Suit, Action, Appeal or Proceeding which shall or may be instituted or brought against any such Churchwardens or Chapelwardens respectively, by reason or on account of any Matter or Thing by him or them to be done or committed in pursuance or by virtue or under the Authority of this present Act, or by or under the Authority of the major Part of the Inhabitants of any such Parish, Union or Chapelry, at any Vestry held under the Provisions of this Act, and all Sums awarded and adjudged in such Suits or Actions to be paid as Damages to the Plaintiff or Plaintiffs, when duly ascertained, shall be and become a Charge on such Parish, Union or Chapelry, and shall be added to the Amount of the Sums contained and assessed in the next immediately following Assessment which shall be made for defraying the Charges of providing Things necessary for the due Celebration of Divine Service in such Church or Chapel; and shall be duly applotted and levied, together with the other Sums contained in every such Assessment, upon all the Inhabitants of every such Parish, Union or Chapelry, except such Inhabitants only as shall be entitled, as Appellants or Defendants or otherwise, to the Receipt of the Sums, or any Part thereof, so to be charged, assessed and applotted for such Purposes; and all such Sums so to be levied shall be paid and applied or retained to the Use of the Person or Persons respectively entitled to receive such Costs, Damages or Expences respectively.

and shall be applotted on all the Inhabitants, except the Persons entitled to receive the Costs as Appellants, &c.

XXXIX. Provided always, and be it enacted, That where any Churchwarden or Chapelwarden, or Person having served the Office of Churchwarden or Chapelwarden of any Parish, Union or Chapelry, accounting or charged in Account, shall, under the true Intent and Meaning of this present Act, be entitled to the Repayment or Receipt of any Sum or Sums of Money, and it shall in any Case happen that such Sum or Sums shall not be duly assessed, applotted and repaid to such Churchwarden or Chapelwarden or Person, according to the true Intent and Meaning of this Act, it shall and may be lawful to and for every such Churchwarden or Chapelwarden, or Person as aforesaid, to apply to the High Court of Chancery in *Ireland*, by Petition, for Relief in that behalf; and such Court shall and may, on the Hearing of such Petition in a summary Way, make such Order in the Premises for the assessing and applotting such Money, or for the Repayment of any such Sums of Money, or any Part thereof, by the Churchwardens or Chapelwardens or Warden for the Time being; or by any Inhabitant or Inhabitants of such Parish, Union or Chapelry, as shall be fit, and shall and may award Costs to and against the Petitioner or Petitioners, and shall and may enforce the Order and Orders to be made on every such Petition by Process of Attachment, Sequestration, Injunction or otherwise, against such Churchwardens or Chapelwardens or Warden, or Inhabitant or Inhabitants, as the Case may require.

Churchwarden not receiving any Sums due to him on his accounting, may apply to Chancery, who may make a summary Order, and enforce the same by Attachment, &c.

Order made on Petition.

XL. And be it further enacted, That every Assessment and Applotment, and every Act, Order or Charge made in Vestry, in

Proviso for Assessments and Orders of any

Vestry not appealed from ;

and all Determinations on Appeals shall be final.

Order of Justices not removable by Certiorari.

Costs of Appeal may be levied against Appellants by Distress under Warrant of Justices, or recovered by Action or Civil Bill.

Where any Church has been made Cathedral and Parochial, &c. and no permanent Agreement exists as to proportioning the Repairs, such Proportion may be settled by Archbishop or Bishop.

any Parish, Union or Chapelry, and every Assessment and Applotment made by Authority of this Act pursuant to such Motion as aforesaid, against which, in the whole or in part, any Appeal is hereby permitted to be made, if not duly appealed from within the Time or Times hereby as aforesaid prescribed for making such Appeals respectively, and every Order and Determination which shall be made by the Justices of the Peace at the Sessions of the Peace, or Adjournment thereof, as hereinbefore mentioned, which shall be made on the Hearing of any Appeal pursuant to this Act, shall, from and after the Expiration and End of such respective Times within which such respective Appeals are hereby permitted to be made, or from and after the making of the respective Orders or Determinations on the Hearing of such Appeals respectively, as the Case may be, be final, binding and conclusive to all Intents and Purposes, in Law and Equity, and shall not at any Time or Times thereafter be impeached, questioned or set aside, or varied by or in any Court of Law or Equity, or in or before any other Court, Jurisdiction or Place whatever ; nor shall any such Order or Determination of the Justices of the Peace be removed or removable by Writ of Certiorari or other Process, to any of His Majesty's Courts.

XLII. And be it further enacted, That it shall be lawful for the Justices at every such Sessions of the Peace or Adjournment thereof as aforesaid, and they are hereby authorized and empowered, by their Order or Warrant, to levy any Costs by them to be awarded or ordered, to be paid by any Person or Persons appealing in manner aforesaid, by Distress and Sale of his or their Cattle, Goods and Chattels, in case such Person or Persons shall, after Demand made thereof, refuse or neglect to pay the same to the Churchwardens or Chapelwardens respectively to whom the same shall have been so awarded ; or it shall and may be lawful for such Churchwardens or Chapelwardens or Warden to sue for and recover from such Person or Persons the Amount of the Costs so awarded, by Action at Law, or, if not exceeding Fifty Pounds, by Civil Bill, at the Election of such Churchwardens or Chapelwardens or Warden.

XLIII. And be it further enacted, That in all Cases where, under and by virtue of the said Act made in the Parliament of Ireland in the Twenty first Year of the Reign of His late Majesty King George the Second, intituled *An Act for disappropriating Benefices belonging to Deans, Archdeacons, Dignitaries and other Members of Cathedral Churches, and for appropriating others in their Stead, and also for the Removal of the Sites of ruined Cathedral Churches*, any Parochial Church shall have been or shall be made Cathedral and Parochial ; and in all Cases where, under and by virtue of an Act made in the Parliament of Ireland in the Thirty ninth Year of the Reign of His late Majesty King George the Third, intituled *An Act for the repairing of Cathedral Churches in Cases where the Parish Churches have been long in Ruins*, any Cathedral Church shall have been or shall be made use of as a Parish Church ; and it shall happen that no permanent Agreement shall have been or shall be made by and between the Dean and Chapter or the Chapter of such Cathedral Church, testified under their Common Seal, and the Protestant Inhabitants of the Parish or Union in which

which such Church is or shall be situate, ascertaining the Proportions in which such Deans and Chapters, or Chapters, and the Inhabitants, shall respectively contribute to the putting and keeping in Repair such Cathedral and Parochial Churches, at all Times thereafter when such Repairs shall be required; it shall be lawful for the Archbishop or Bishop of the Diocese in which such Churches are or shall be respectively situate, by any Instrument under his Archiepiscopal or Episcopal Seal, finally to adjust, settle and ascertain the Proportions in which such Deans and Chapters, or Chapters, and Inhabitants of Parishes, shall so respectively contribute to the rebuilding, enlarging, putting and keeping in repair at all Times thereafter of such Cathedral and Parochial Churches; and the Sums necessary and sufficient for such Purposes shall be from time to time apportioned and paid accordingly.

XLIII. And be it further enacted, That the Amount of all and every Sum and Sums which shall from time to time be required to be raised, levied and paid for the Purpose of rebuilding, enlarging or putting and keeping in repair of every such Church made Cathedral and Parochial, before any Assessment thereof, or of any Part or Proportion thereof, shall be made on the Inhabitants of any Parish or Union, shall be from time to time estimated, ascertained and settled by such Archbishop or Bishop as aforesaid; and thereupon such Part and so much of such respective Sums as ought, according to any such permanent Agreement made or to be made as aforesaid, or as shall be settled and ascertained by any such Archbishop or Bishop as aforesaid, to be borne and paid by the Inhabitants of such Parish or Union, and no more, shall with all convenient Speed be assessed on the Inhabitants of such Parish or Union in Vestry, according to the Directions of this Act in other Cases of Assessment; and so much and such Parts of the Amount of such Sum or Sums as ought, according to such Agreement, or according to the Allowance or Direction of such Archbishop or Bishop, to be paid and borne by such Dean and Chapter, or Chapters, shall be paid and borne by them accordingly, when and as soon as the Applotment of such Assessment on the Inhabitants of such Parish, Union or Chapelry, of their Proportion shall have been finally settled and confirmed as aforesaid, and shall be a Charge on the Economy Fund of such Dean and Chapter, or Chapters, or on the Rents, Issues and Profits of the respective Deaneries, Dignities, Prebends and Canonries holden by the Dean and the respective Dignitaries, Prebendaries and Canons, in right of any such Deanery, Dignity, Prebend or Canonry, in case there shall not be any Economy Fund, or that such Economy Fund shall not be sufficient for the Purpose; and in such Case the whole of such Sum or Sums of Money, or so much as shall be deficient, shall be paid by such Deans, Dignitaries and Prebendaries and Canons, out of the Issues and Profits of such their respective Deaneries, Dignitaries, Prebends and Canonries, in and according to the Proportions to be settled amongst themselves by such Deans and Chapter or Chapters respectively; and in case such Proportion shall not be so settled, or in case the Sum or Sums which ought so to be paid by such Deans and Chapters, or Chapters, shall not be paid to such Person or Persons as such Archbishop or Bishop shall by Writing signed by him appoint

Before Applotment of any Sums for Repairs, Amount shall be estimated by Archbishop, &c. and Parish assessed as to their Share.

Sums to be paid by Dean and Chapter shall be a Charge on their Economy Fund, or on Rents of Deaneries;

and on Non-payment, the Rents, &c. may be sequestered.

within Thirty Days next after the Confirmation of the Applotment of such Parochial Assessment, it shall be lawful for any such Archbishop or Bishop to settle and ascertain such Proportions as aforesaid, if necessary, and to enforce the Payment of all and every Sum so proportioned, either by such Deans and Chapters, or Chapters, or by such Archbishop or Bishop, by Sequestration of the Rents, Issues and Profits of any and every such Deanery, Dignity, Prebend or Canonry, as the Case may require, until such Payment shall be so made by such Dean and Chapter, or Chapters as aforesaid, of the Sum or Sums which they shall be so liable to bear and pay, and of the Costs of such Sequestration.

Election, &c.
of Churchwardens to be made annually at Vestry on Easter Monday or Tuesday, and an Entry made thereof, &c. and the Persons so elected, &c. deemed Churchwardens (unless exempted or disqualified by this Act.)

XLIV. And be it further enacted, That a Vestry shall be called and holden on the *Monday* or *Tuesday* in *Easter Week* in every Year, in every Parish, Union and Chapelry in *Ireland*, for the Election or Nomination or Appointment of Churchwardens or Chapelwardens or Warden, and that such Election or Nomination or Appointment shall be duly entered at such Vestry in the Vestry Book of the Parish, Union or Chapelry; and that every Person who shall be so elected or nominated or appointed (and not being exempted or disqualified under the Provisions of this Act) shall be deemed and taken to be and is hereby declared to be a legal Churchwarden or Chapelwarden of such Parish, Union or Chapelry, to all Intents and Purposes, and shall be compelled and compellable (unless in Cases excepted by this Act) to take upon him such Office, and to perform the Duties of the said Office in Person or by Deputy, according to the Directions of this Act; and the Entry of such Election or Nomination or Appointment shall be signed by the Incumbent or Curate, or Minister acting as such, or One of them, and Three of the Inhabitants at least, qualified to vote at such Vestry, if so many Inhabitants shall be present at such Vestry, or otherwise by all the Inhabitants present at such Vestry; and the said Act of Vestry so signed shall be considered and received as conclusive Evidence of the Election, Nomination or Appointment of such Churchwardens or Chapelwardens, although the same shall not be signed by such Churchwardens or Chapelwardens or either of them.

Churchwarden may be elected in the Room of One deceased, &c.

XLV. And be it further enacted, That in case any Churchwarden or Chapelwarden of any Parish, Chapelry or Union shall die, or shall become insolvent, or shall be imprisoned for Debt or other Cause, or shall become fugitive from *Ireland*, then and in every such Case it shall and may be lawful for the Vestry duly assembled in such Parish, Chapelry or Union, after such Notice as by this Act is required, to elect a Churchwarden or Chapelwarden in the Room of such Churchwarden or Chapelwarden so dying, becoming insolvent, imprisoned or fugitive, and such new Churchwarden or Chapelwarden shall take the Oath prescribed by this Act, and shall be to all Intents and Purposes as fully Churchwarden or Chapelwarden as if he had been elected on the *Easter Monday* or *Tuesday* preceding.

Churchwardens shall take Oath, of Office herein set forth.

XLVI. And be it further enacted, That every Person who at any Time after the Commencement of this Act shall be elected or nominated or appointed to be Churchwarden or Chapelwarden, or to be Deputy to any Churchwarden or Chapelwarden of any Parish, Union or Chapelry in *Ireland*, shall take and subscribe

an Oath of Office, in the Form and to the Effect following; (that is to say),

‘ I *A. B.* do swear, That I will truly, impartially and faithfully execute the Office of Churchwarden or Chapelwarden [*or Deputy Churchwarden or Chapelwarden*] within the Parish [*Union or Chapelry*] of _____ in respect of the Parochial Rates and Assessments, and the Collection and Management of the same, and the other Property and Monies of the said Parish [*Union or Chapelry.*] So help me GOD.’

Oath of Office.

And such Oath shall and may be taken, made and subscribed by any such Person either before the Incumbent or Curate of the Parish, Union, or Chapelry, or before any Ecclesiastical Judge, and which Oath such Incumbent, Curate or Judge is hereby respectively empowered to administer, and shall administer, without Fee or Reward, to any such Churchwarden or Chapelwarden, or Deputy Churchwarden or Chapelwarden: Provided nevertheless, that the said Oath of Office, or any thing contained therein, shall not be construed to exempt any such Churchwarden or Chapelwarden or Deputy from the Fulfilment of any Duty by Law required to be performed by such Churchwarden or Chapelwarden, and not specified in such Oath.

Oath, &c. to be administered by Incumbent, &c.

Not to exempt Churchwardens from Duties not specified.

XLVII. Provided always, and be it enacted, that every Preacher or Teacher in Holy Orders, or pretended Holy Orders, being a Minister, Preacher or Teacher of a Congregation, who shall have taken or shall take the Oaths, and who shall have made and subscribed or shall make and subscribe the Declaration required to be taken, made and subscribed by the said Act made in the Parliament of *Ireland* in the Sixth Year of King *George* the First, for exempting Protestant Dissenters from certain Penalties, shall be thenceforth exempted and incapacitated from being chosen or appointed to bear, and shall be exempted from and incapable of bearing the Office of Churchwarden or Chapelwarden.

Dissenting Preachers exempted and incapacitated from serving Churchwardens.

XLVIII. And be it further enacted, That if any Person (not being a Preacher or Teacher exempted or incapacitated by this Act) who shall at any Time be chosen or otherwise appointed to the Office of Churchwarden or Chapelwarden in any Parish, Union or Chapelry within Four Weeks next after his being so chosen or appointed shall state in Writing signed with his Name, to the Minister of such Parish, Union or Chapelry, that he is desirous of executing the said Office of Churchwarden or Chapelwarden by Deputy, it shall and may be lawful for any such Churchwarden or Chapelwarden to nominate and appoint a good and sufficient Person, who shall be approved by the Incumbent or Curate of such Parish, Union or Chapelry, to be his Deputy Churchwarden or Chapelwarden; and such Deputy Churchwarden or Chapelwarden shall take and make and subscribe the Oath required by this Act accordingly: Provided always, that every Person who shall execute the Office of a Churchwarden or Chapelwarden by Deputy shall be liable and answerable for all Money which shall come to the Hands of his Deputy by reason of such Office, and for the Acts, Neglects and Defaults of such Deputy in respect of the Collection and Disposition of the Parish Cesses and Rates, in such and the same Manner, and as fully to all Intents and Purposes

Churchwarden may execute by Deputy, approved by Ordinary, &c. who shall take the Oaths, &c.

Principal answerable.

as if such Office had been executed in Person by such Churchwarden or Chapelwarden, and as if such Monies and all Sums assessed and applotted in Vestry had come to the Hands of such Churchwarden or Chapelwarden; and every such Churchwarden or Chapelwarden shall account for the same accordingly.

In what case
only Persons
may serve
Churchwarden
for Two succe-
sive Years.

XLIX. And be it further enacted, That it shall not be lawful for any Vestry in *Ireland* to elect, nor for any Ordinary, Incumbent or Curate to appoint any Person to fill the Office of Churchwarden or Chapelwarden in and for any Parish, Union or Chapelry, for the Year next and immediately succeeding the Year in which such Person shall have served for the whole Period of one entire Year the Office of Churchwarden or Chapelwarden of the same Parish, Chapelry or Union, in Person or by Deputy, if it shall be made appear to the Satisfaction of such Vestry, Ordinary, Incumbent or Curate, that there is any other Person liable to serve and duly qualified to exercise such Office in such Parish, Union or Chapelry.

For providing
for the Main-
tenance of
Parish Clerks,
Assessments
shall be made
of certain an-
nual Sums.

L. And be it further enacted, That in every Parish, Union or Chapelry (not being within the County of the City of *Dublin*, or the Suburbs thereof) in which there shall be a Church or Chapel fit for the Celebration of Divine Service according to the Rites and Ceremonies of the United Church of *England and Ireland*, a Vestry shall be held on the *Monday or Tuesday in Easter Week* in every Year, and at every such Vestry a Sum shall be assessed for the Maintenance of the Clerk of every such Parish, Union or Chapelry, and of every Chapel of Ease, in manner following; that is to say, for the Clerk of every such Parish, Chapelry or Union, in the Church or Chapel whereof there shall be Divine Service usually celebrated, not only on *Sundays* and Festival Days, but also on common Week Days, that is to say, on Two such common Days at least in the Week, a Sum not exceeding Twenty Pounds nor less than Ten Pounds, and in all other Cases a Sum not exceeding Ten Pounds nor less than Five Pounds; and to and for the Clerk of every Chapel of Ease in any Parish or Union in which there shall be a Chapel of Ease used and fit for the Celebration of Divine Service as aforesaid, (except such Chapel of Ease be served only alternately, or in less frequent Turns with the Church of the Parish or Union wherein it is situate,) a Sum not exceeding Ten Pounds nor less than Five Pounds, as and for the Maintenance and Maintenances of every such Clerk respectively for the Year then next ensuing, and in satisfaction and lieu of all other Fees, Dues or Allowances whatever, alleged or claimed to be payable to such Parish Clerk under any Usage or Custom; and if such Assessment be not so made on the *Monday or Tuesday in Easter Week* as aforesaid, in any Parish, Union or Chapelry, every such Parish, Union or Chapelry shall be charged with the Sums or Maintenance following, as and for the Support of any such Clerk for the Year in and for which such Assessment ought to be made and shall have been omitted to be made; that is to say, with the Sum of Ten Pounds for the Clerk of any such Parish, Chapelry or Union in the Church or Chapel whereof Divine Service is usually celebrated in the Church or Chapel on *Sundays*, Festivals and common Days as aforesaid, and in all other Cases with the Sum of Five Pounds; and for the Clerk of every Chapel of Ease in which Divine Service shall

If Assessment
not made cer-
tain lesser
Sums shall be
chargeable on
the Parish.

shall be so performed (except in the Case of such Service in Turns as aforesaid) with the Sum of Four Pounds, in satisfaction and lieu of all Dues, Fees and Allowances as aforesaid, as and for the Maintenance of such respective Clerks for the Year in and for which such respective Assessments ought to be made; and in Cases where such Assessments respectively shall be made, then the Sums respectively to be assessed for the Maintenances of such Clerks respectively, or in Cases where no Assessment shall be made, then the said Sums of Ten Pounds, Five Pounds or Four Pounds respectively, as the Case may be, shall be added to and shall be equally and fairly apportioned amongst the other Sums to be assessed by the Inhabitants or the major Part of them in Vestry, for providing Things necessary for the due Celebration of Divine Service in the Church or Chapel of any such Parish, Union or Chapelry on the Inhabitants thereof for the same Year; and the Churchwardens or Chapelwardens, or Wardens, shall collect and cause to be collected all and every Sum and Sums apportioned in manner herein provided of and concerning Sums assessed by the Inhabitants in Vestry as aforesaid, and shall pay over the Amount of such Salaries, when collected, to such Clerks respectively; and in case the Sum or Sums assessed for any such Maintenance, or the Sum or Sums hereby payable in default of Assessment, shall not be paid to such Clerk or Clerks before the First Day of June in any Year, it shall be lawful to and for every such Clerk to sue for and recover the Sums respectively so hereby directed to be apportioned and paid, by Civil Bill Process against the Churchwardens or Chapelwardens respectively of every such Parish, Union or Chapelry; and a Certificate, signed by the Incumbent or Curate of such Parish, Union or Chapelry stating that such Clerk has performed the Duties of his Office, shall be sufficient Evidence that he has so done, and that he is entitled to such Sum or Sums respectively; and all and every the Sum and Sums which shall be so paid by such Churchwardens or Chapelwardens respectively to such Clerks respectively, if the same shall not have been previously apportioned as aforesaid, shall be added to the Sums to be assessed by the next Parochial Assessment, for the providing of Things necessary for the due Celebration of Divine Service in the Church or Chapel thereof, and shall be apportioned and collected therewith, and shall be repaid to or retained by such Churchwarden or Chapelwarden respectively.

Remedy for the Clerk, in case of Non-payment.

LI. And be it further enacted, That Overseers for the Purpose of carrying into Execution an Act made in the Parliament of Ireland in the Eleventh and Twelfth Years of the Reign of His late Majesty King George the Third, intituled *An Act for the Relief of poor Infants who are or shall be deserted by their Parents*, or any Act or Acts for amending the same, may be chosen annually at any Vestry holden for any of the Purposes of this Act; and such Election shall be as valid and effectual as if such Overseers were chosen at any Vestry called pursuant to the Directions of the said Acts, any thing in the said Acts to the contrary in anywise notwithstanding.

Overseers may be chosen annually for executing 11 & 12 G.3.

LII. And be it further enacted, That in case any Incumbent or Curate, or any Minister acting as such, or any Person elected or bound to preside at any Vestry, or any Churchwarden or Chapelwarden,

Incumbents, &c. refusing to perform their Duty in execu-

tion of this
Act.

warden, or Persons appointed by the Authority of this present Act to applot any Sum or Sums assessed by the Authority of this present Act, upon the Inhabitants of any Parish, Union or Chapelry, shall refuse or omit to take on him or them the Office or Duty to which he or they shall be so appointed, or shall refuse or omit to take the Oath of Office required by this Act, or to give or publish any Notice or Notices by this Act required to be by him or them given or published, in the Manner and at the Time or Times respectively by this Act directed or provided, or shall refuse or omit to sign or certify any Act, Instrument, Matter or Thing by this Act directed to be signed or certified by him or them respectively, or if any Churchwarden or Chapelwarden, or Person appointed to applot any Parish Rate or Cess as by this Act is directed, shall refuse or omit duly to applot the same in the Manner by this Act required, or if any Churchwarden or Chapelwarden shall refuse or omit to make any Assessment for the Purposes mentioned in any such Monition to be issued as aforesaid, pursuant to the Command and Requisition thereof, or shall refuse or omit to ascertain, settle, confirm or make any such Applotment as aforesaid, in default of the Inhabitants of any Parish, Union or Chapelry, every such Incumbent or Curate, or licensed Minister acting as such, and every such Churchwarden or Chapelwarden, or other Person so offending, shall for every such Offence forfeit the Sum of Twenty Pounds, the one Moiety thereof to such Person as shall sue for the same by Action of Debt, Bill, Plaint or Information, in any of His Majesty's Four Courts in *Dublin*, in which no Essoign, Wager of Law or Protection, nor more than One Impar lance, shall be allowed, and the other Moiety thereof to be applied by the Incumbent of every such Parish, Union or Chapelry, towards the building, rebuilding, enlarging or repairing of the Church or Chapel thereof.

Penalty.

Notices, Assessments, Orders, Warrants, &c. shall not be void for Defect in Form.

LIII. And be it further enacted, That no Notice, Assessment, Applotment or Confirmation thereof, nor any Act of Vestry, Order, Judgment, Determination, Warrant, Distress, Sale, Appeal, Instrument or Recognizance had, given, made, provided or entered into under the Authority or in Execution of this present Act, shall be rendered void, annulled, prejudiced, weakened or set aside in the whole or in part, for or by reason of any Defect in Form or any other Cause, not being of Substance; and in case any Distress or Distresses shall be made and taken for any Sum or Sums of Money to be levied by virtue of this present Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed Trespassers, on account of any Defect or Want of Form in the Warrant of Distress or any Proceedings thereon; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining, but the Person or Persons complaining of any such Irregularity shall and may recover full Satisfaction for the special Damage (if any) in any Action for any such Irregularity, if Tender of sufficient Amends shall not be made by or on behalf of the Party distraining before such Action be commenced.

Notice of Action against

LIV. And be it further enacted, That no Action, Suit or Proceeding shall be commenced or prosecuted against any Justice of the

the Peace, or against any Incumbent or Curate, or licensed Minister acting as such, or against any Churchwarden or Chapelwarden, or other Person or Persons, for or by reason of any Act, Matter or Thing done in pursuance or execution of or authorized by this present Act, until after the Expiration of Thirty Days Notice given to him or them, nor after a sufficient Satisfaction or Tender of Amends shall have been made to the Party or Parties aggrieved, nor after the Expiration of Three Calendar Months next after such Act, Matter or Thing done; and every such Action or Suit shall be brought in the County, County of a City or Town, where the Cause of Action shall have arisen, and not elsewhere; and the Defendant and Defendants in any such Action shall and may, at his Election, plead specially, or shall or may plead the General Issue, not guilty, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance of this Act; and if any Replevin shall be brought for any Cattle, Goods or Chattels seized or distrained by virtue of this Act, it shall be lawful and sufficient for any Person or Persons who shall be Defendant or Defendants or Avowant or Avowants in any such Replevin, to avow, plead or make cognizance generally, that he or they took the same Cattle, Goods or Chattels as a Distress, by force of the Statute in that Case made and provided, without more particularly setting forth this Act or the Cause of making or detaining any such Distress, or making any other more special Plea, Avowry or Cognizance; and if it shall appear that the Matter on which the Cause of Action arose was done, or that the Distress replevied was made in pursuance of or by Authority of this Act, or that such Action or Suit shall have been brought before Thirty Days Notice thereof was given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited as aforesaid for bringing the same, or shall be brought in any other County, County of a City or Town, than as aforesaid, the Jury shall find for the Defendant or Defendants, Avowant or Avowants; and upon such Verdict, or if the Plaintiff or Plaintiffs be nonsuited, or discontinue his, her or their Action, Suit or Prosecution after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants, Avowant or Avowants, shall recover Double Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in other Cases of Costs given by Law: Provided always, that nothing herein contained shall be deemed, taken or construed to deprive any such Defendant or Defendants, or Avowant or Avowants, of the Benefit and Protection of the Act made in the Parliament of Ireland in the Tenth Year of King Charles the First, intituled *An Act for Ease in pleading against troublesome and contentious Suits prosecuted against Sheriffs, Justices of the Peace, Mayors, Constables and certain other Officers, for the lawful Execution of their Office*, or of any other Act of Parliament.

LV. And be it further enacted, That from and after the Commencement of this Act, no Action, Suit, Civil Bill Process, Complaint, Distress or Proceeding shall be commenced, brought, exhibited, lodged, made or taken for the Recovery or Collection of any Sum or Sums assessed or apportioned on the Inhabitants of any

Justices, Ministers, Churchwardens, &c.

Limitation of Action Three Months.

General Issue.

Avowry.

Double Costs.

10 C.1. (L.)

Limitation of Actions on Proceedings for Recovery of Assessments.

any Parish, Union or Chapelry, under the Provisions of this Act, unless such Action, Suit, Civil Bill Process, Complaint, Distress or Proceeding be commenced, brought, exhibited, lodged, made or taken within Six Years next after such Sum or Sums shall have become due and payable.

Act may be altered, &c. this Session. Commencement of Act.

LVII. And be it further enacted, That this Act may be amended, altered or repealed in this present Session of Parliament.

LVIII. And be it further enacted, That this Act shall take effect and shall commence from and immediately after the First Day of *January* One thousand eight hundred and twenty seven.

C A P. LXXIII.

An Act to consolidate the Laws in force in *Ireland* for the Disappropriation of Benefices annexed to Dignities, and for the Appropriation of others in their Stead, and for uniting Benefices with Dignities, and to make further Provisions for the like Purposes. [31st May 1826.]

‘ WHEREAS it is desirable that certain Provisions contained in several Acts in force in *Ireland*, relating to the Appropriation or Disappropriation of Benefices, and uniting Benefices with Dignities, should be consolidated and embodied together in one Act; and that certain Powers should be given to the Lord Lieutenant or other Chief Governor or Governors, and His Majesty’s Privy Council in *Ireland*, with respect to the Disappropriation of Rectories or Parts of Rectories, and the Rectorial Tithes thereof, belonging to Deans, Archdeacons, Dignitaries, Prebendaries and Canons of Cathedral Churches, and uniting them to their respective Vicarages:’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, so much and such Parts of several Acts, passed in the Parliament of *Ireland*, shall be repealed, as are hereinafter mentioned; that is to say, so much of an Act passed in the Parliament of *Ireland* in the Second Year of the Reign of King *George* the First, intituled *An Act for real Union and Division of Parishes*, as relates to the uniting or appropriating of any Benefice or Benefices to any Dignity or Prebend, or as relates to any Dignitary or Prebendary to whose Dignity or Prebend any Benefice shall be united, or as relates to the Disappropriation of any Rectory by the Owner or Proprietor of any Rectory Appropriate, or as relates to the Enrolment of any Appropriations: and also so much of an Act made in the Parliament of *Ireland* in the Tenth Year of the Reign of the said King *George* the First (for explaining and amending the said first recited Act, and for other Purposes,) as relates to the uniting or appropriating of any Benefice or Benefices to any Dignity or Prebend, or to the Consent of His Majesty, His Heirs and Successors to any such Union; and also so much of another Act passed in the Parliament of *Ireland*, in the said Tenth Year of the Reign of the said King *George* the First, intituled *An Act for amending an Act, intituled ‘An Act for confirming the several Grants made by Her late Majesty of the First Fruits and Twentieth Parts, payable out*

2 G.1. (I.)
c.14.

10 G.1. (I.)
c.6.

10 G.1. (I.)
c.7.

out of the Ecclesiastical Benefices in this Kingdom; and also for giving the Archbishops and other Ecclesiastical Persons Four Years Time for the Payment of First Fruits, and for incorporating the Trustees and Commissioners of the said First Fruits,' as relates to the Payment of First Fruits by appropriated Benefices; and also so much of an Act passed in the Parliament of Ireland in the Twenty first Year of the Reign of King George the Second, intituled *An Act for disappropriating Benefices belonging to Deans, Archdeacons, Dignitaries, and other Members of Cathedral Churches, and for appropriating others in their Stead; and also for the Removal of the Scites of ruined Cathedral Churches*, as relates to the Disappropriation of Benefices belonging to Deans, Archdeacons, Dignitaries and other Members of Cathedral Churches, and the Appropriation of others in their Stead, and as relates to the Consent of His Majesty, His Heirs and Successors, to the making of any Union, Appropriation or Disappropriation; and so much and such Parts as aforesaid of the said several Acts respectively are hereby repealed accordingly.

21 G. 2. (I.)
c. 8. in part

repealed.

II. And be it further enacted, That from and after the passing of this Act, whenever it shall happen that any Dean, Archdeacon, Dignitary, Prebendary or Canon of any Cathedral Church in Ireland, shall have One or more Benefice or Benefices appropriated to any such Deanery, Archdeaconry, Dignity, Prebend or Canonry, situated at great Distances from such Deanery, Archdeaconry, Dignity, Prebend or Canonry, or from each other, it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being, with the Assent of the major Part of His Majesty's Privy Council in Ireland, in Council assembled, Six at least assenting, and with the Advice and Approbation of the Archbishop of the Province and Bishop of the Diocese, certified under their Hands and Archiepiscopal or Episcopal Seals, and with the Consent of the King's Majesty, where he shall be Patron, signified in such manner as hereinafter directed, and with the Consent of all other Patrons and of all Incumbents, certified under their Hands and Seals respectively, and attested by Two or more credible Witnesses, to disappropriate such Benefice or Benefices, and to disunite the same from such Deanery, Archdeaconry, Dignity, Prebend or Canonry, and to unite and appropriate to such Deanery, Archdeaconry, Dignity, Prebend or Canonry, any other Parish or Parishes, of a Value at least equal to such disappropriated Benefice or Benefices, and which may be contiguous or convenient to each other, or to such Deanery, Archdeaconry, Dignity, Prebend or Canonry, and afterwards to unite such disappropriated Benefice or Benefices to such other Parish or Parishes, or to unite such other Parish or Parishes to them or any of them, as lie convenient for such an Union, or to erect such disappropriated Benefice or Benefices into a separate and distinct Benefice or into separate and distinct Benefices; saving always to all Deans, Deans and Chapters, Archdeacons, Dignitaries, Prebendaries and Canons, and all other Incumbents, at the Time of any such Union, Appropriation or Disappropriation, during their respective Incumbencies, and to all Patrons and Ordinaries, all their respective Rights, Titles and Interests in and to such united or appropriated or disappropriated Benefices, or to any of them; and saving to any and every

Where Benefices appropriated to Deaneries, &c. are inconveniently situated, Lord Lieutenant, &c. with Consent of Patron, may disappropriate them, and appropriate others;

or may unite such Benefices to other Parishes; or erect them into separate Benefices.
General Saving of Rights.

every Archbishop and Bishop, Register and Schoolmaster, their respective Dues payable out of such Parish so united; saving also to all Tenants who have any Lease or Leases of any Glebes or Tithes belonging to any Part of such Union, or Appropriation or Disappropriation, all their Rights and Interests during their respective Leases.

Lord Lieutenant and Council, &c. may appropriate Benefices with Cure to Dignities without Cure, &c.

General Saving of Rights.

Proviso respecting Right of Presentation where there are distinct Patrons of the Benefices, &c. united.

Owner of Rectory Impropritate shall not, by presenting to Union, disappropriate his Rectory by Implication.

III. And be it further enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, with the Assent, Advice, Approbation and Consent of His Majesty's Privy Council and of such Persons and in such manner as is hereinbefore directed, to unite or appropriate any Benefice or Benefices having actual Cure of Souls to a Dignity or Prebend without Cure, or to unite and appropriate any Benefice or Benefices without Cure of Souls to a Dignity or Prebend having actual Cure of Souls annexed; saving to every Dean, Dignitary, Prebendary and Incumbent, at the Time of such Union or Appropriation, during their respective Incumbency, and to the respective Patrons and Ordinaries, all their Right, Title and Interest in and to such united or appropriated Benefices; and saving also all Rights to the Dean and Chapter of each Cathedral Church, and to the Prebendary of the Prebend to which any Benefice with Cure of Souls or without Cure of Souls shall be united or appropriated.

IV. And be it further enacted, That where any of the Deaneries, Archdeaconries, Dignities, Prebends, Canonries, Parishes or Benefices, to be united or appropriated as aforesaid, shall have several and distinct Patrons, and that the King's Majesty, His Heirs and Successors, is, are or shall be entitled to the Presentation to any of them, in such Case His Majesty, His Heirs and Successors, shall immediately from and after such Union, upon the then first Vacancy, have the first Presentation of an Incumbent unto such Union, by the Name by which it shall be called in the Instrument erecting the same, and that the Lord Lieutenant or other Chief Governor or Governors, and His Majesty's Privy Council in *Ireland*, with the Advice and Approbation of the Archbishop of the Province and Bishop of the Diocese, certified in the Manner aforesaid, shall divide and settle the Patronage by Turns afterwards amongst the several Patrons, giving a Right to each of them to present oftener or seldomer, according to the true yearly Value of the respective Parish or Parishes whereof they are Patrons, the Consent of each Patron being first had thereto, and entered in the Instrument erecting such Union, and that such Settlement shall be final and binding to all Patrons, whether Ecclesiastical or Lay Patrons, and to all Parties for ever.

V. Provided always, and be it enacted, That any Owner or Proprietor of any Rectory Impropritate, having the Patronage of the Vicarage of the Church of such Rectory, shall not, by presenting in his Turn a Clerk to any Union, under or by virtue of this Act, be judged in Law to disappropriate his Rectory, unless such Person making such Presentation shall, by express Words contained therein, plainly signify his Design and Intent to make such Disappropriation, and that such Presentation be under the Hand and Seal of the Patron so presenting, attested by Two or more

more credible Persons; any Law, Statute or Usage to the contrary notwithstanding.

‘ VI. And Whereas, in many Places in *Ireland*, Deans, Archdeacons, Dignitaries, Prebendaries and Canons of Cathedral Churches have One or more Rectory or Rectories, or Part or Parts of One or more Rectory or Rectories, or Parishes, and the Rectorial Tithes thereof respectively, annexed and appropriated to One Deanery, Archdeacons, Dignity, Prebend or Canonry, within which Rectories there are Vicars endowed, so that such Dean, Archdeacon, Dignitary, Prebendary or Canon have not the actual Cure of Souls within the said Parishes or Rectories or Part of Rectories so appropriated to their Dignities, the actual Cure being in the respective Vicars: And Whereas the Vicarial Tithes of such Parishes as aforesaid, in which there are Vicarages endowed, are often of very inconsiderable Value, and inadequate in many Instances to the suitable Maintenance of their respective Vicars, by whom they are received: And Whereas it will be beneficial that the Rectorial Tithes or the Parts thereof of the said several and respective Parishes or Rectories so as aforesaid appropriated to such Deanery, Archdeacons, Dignity, Prebend or Canonry, should be disappropriated, disunited and divested out of such Dean, Archdeacon, Dignitary, Prebendary or Canon, and vested in the respective Vicars of the said Parishes:’ Be it therefore enacted, That from and after the passing of this Act it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, and his Majesty’s Privy Council there, with the Assent, Advice, Approbation and Consent of all such Persons, and in such manner as is hereinbefore mentioned, to disappropriate, disunite, and divest any Rectory or Rectories, or Part or Parts of any Rectory or Rectories, and the Rectorial Tithes thereof, from and out of any such Deanery, Archdeacons, Dignity, Prebend or Canonry, and the Dean, Archdeacon, Dignitary, Prebendary or Canon thereof respectively, and to unite any such Rectory or Rectories to their respective Vicarages, so that each and every of such Rectories, or Parts of Rectories, when so disappropriated, shall, with its Vicarage, form a distinct Parish or Benefice; and also, in lieu of any Rectory or Rectories, or Part thereof, so disunited, to unite and appropriate to such Deanery, Archdeacons, Dignity, Prebend or Canonry any Benefice or Benefices, with Cure of Souls, in value at least equal to the Rectory or Rectories, or Part or Parts of such Rectory or Rectories, so then disappropriated from such Deanery, Archdeacons, Dignity, Prebend or Canonry; saving always to all Deans, Deans and Chapters, Archdeacons, Dignitaries, Prebendaries and Canons, and all other Incumbents, at the Time of such Disappropriation or Union respectively, during the respective Incumbencies, and to all Patrons and Ordinaries, all their respective Rights, Titles and Interests in and to any such disappropriated Rectory or Rectories, or Part or Parts thereof, or to such united Benefices, or to any of them; and saving also to every Archbishop and Bishop, Register and Schoolmaster, their respective Dues, payable out of any and every such Parish, Rectory or Part thereof, or other Benefice; saving also to all Tenants who have any Lease or Leases of any Glebes or Tithes belonging to

Lord Lieutenant and Council empowered to disunite the Rectorial Tithes from any Dignity, and to unite them to their Vicarages;

and to unite other Benefices to the Dignity.

General Saving of Rights.

to any Part of such Disappropriation, Union, Parish, Rectory or Benefice, all their Right and Interest during their respective Leases.

Lord Lieutenant and Council may, by same Instrument, disunite Benefices or Rectories from Dignities, and unite such Rectories to their Vicarages, and appropriate Benefices to Dignities, in lieu of Disappropriations.

VII. Provided always, and be it enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, and His Majesty's Privy Council in *Ireland*, if they shall so think fit, with the Assent, Advice, Approbation and Consent of such Persons, and in such manner as is hereinbefore mentioned, by the same Instrument and at the same Time that they shall disappropriate any Benefice or Benefices from any Deanery, Archdeaconry, Dignity, Prebend or Canonry, by virtue of this Act, to disappropriate, disunite and divest any Rectory or Rectories, or Part or Parts of any Rectory or Rectories, and the Rectorial Tithes thereof, from and out of any such Dean, Archdeacon, Dignitary, Prebendary or Canon, and re-unite them to their respective Vicarages, and to appropriate to such Deanery, Archdeaconry, Dignity, Prebend or Canonry, any Benefice or Benefices with Cure of Souls; and that in such Case it shall be sufficient, if the Benefice or Benefices so to be appropriated in the Place and Stead of such Rectory or Rectories, or Part or Parts of such Rectory or Rectories so disappropriated, shall be equal in value to the Benefice or to the Rectory or Part of a Rectory so then disappropriated, or to both together, or to the Benefices or Rectories, or Parts of Rectories, or to all together; any thing in this Act contained to the contrary notwithstanding.

Disappropriated Rectories to be in same Patronage as Vicarage;

VIII. And be it further enacted, That every such Rectory or Part of a Rectory, when so disappropriated as aforesaid, and united to their respective Vicarages under this Act, shall become, and shall for ever remain, from the Time when such Union shall take effect, in the Gift and at the Disposal of the Patron or Patrons who was or were entitled to the Presentation to such respective Vicarages before and at the Time of such Union; and that every Benefice so to be appropriated as aforesaid to any Deanery, Archdeaconry, Dignity, Prebend or Canonry, shall, from the Time when such Union and Appropriation shall take effect, be and remain in the Gift and at the Disposal of the Patron or Patrons, whether the King's Majesty or any other Person, who at the Time when such Appropriation as aforesaid shall take effect shall be entitled to the Presentation or Appointment to the Deanery, Archdeaconry, Dignity, Prebend or Canonry, to which such Benefice or Benefices shall be so appropriated.

and appropriated Benefices in the same Patronage as Deanery.

Lord Lieutenant and Council, &c. may direct the Time and manner in which Appropriation or Disappropriation shall take effect.

IX. And be it further enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and His Majesty's Privy Council there, if they shall think proper so to do, with the Advice and Consent of the Archbishop of the Province and Bishop of the Diocese, certified in manner as aforesaid, and with the Consent of the King's Majesty, when he shall be Patron, certified in such manner as by this Act is directed, and with the Consent of all other Patrons and of all Incumbents, certified under their Hands and Seals respectively, and attested by Two or more credible Witnesses, in and by the Instrument by which any Union or Appropriation, or Disunion or Disappropriation, shall be made by virtue of this Act, to direct, regulate

regulate and appoint the Time or Times, when, and the Manner, Conditions and Regulations in, on and under which, according to the Consent so given as aforesaid, any such Union or Appropriation, or Disunion or Disappropriation, shall first operate and take effect, whether during the Incumbency of any Dean, Archdeacon, Dignitary, Prebendary or Canon, or not; and in case no Direction, Regulation or Appointment shall be expressly made in manner aforesaid, as to the Time or Times when any such Union or Appropriation, or Disunion or Disappropriation, shall first operate and take effect, the same shall not operate or take effect until such Time as the Deanery, Archdeaconry, Dignity, Prebend or Canonry to which such Union or Appropriation, or Disunion or Disappropriation shall relate, shall become vacant and destitute of an Incumbent.

X. Provided always, and be it enacted, That every Dean, Archdeacon, Dignitary, Prebendary or Canon, to whose Dignity, Prebend or Canonry any Benefice with Cure of Souls shall be united in pursuance of this Act, shall not be discharged of Residence in the Church united to such Dignity, Prebend or Canonry, but shall be obliged to such Residence as is required by an Act passed in the Fifth Year of His present Majesty, intituled *An Act to consolidate and amend the Laws for enforcing the Residence of Spiritual Persons on their Benefices; to restrain Spiritual Persons from carrying on Trade or Merchandize; and for the Support and Maintenance of Stipendiary Curates in Ireland*; and every such Dean, Archdeacon, Dignitary, Prebendary or Canon shall also be and remain subject, as a Dignitary, Prebendary or Canon of such Cathedral Church, to all Jurisdictions, Duties and Penalties in like manner as such Dignitary, Prebendary or Canon was subject to at the Time of making such Union.

XI. And be it further enacted, That in all Unions or Appropriations, and in all Disunions or Disappropriations to be made by virtue of this Act, of any Dignities or Benefices, the Patronage whereof is or shall be in the King's Majesty, His Heirs or Successors, the Consent of the Lord Lieutenant or other Chief Governor or Governors for the Time being, under his or their Hands and Seals, to the making of such Union or Appropriation, or Disunion or Disappropriation, shall be to all Intents and Purposes as good and valid in Law as if the Consent of His Majesty, His Heirs and Successors, were thereunto signified by Letters Patent under the Great Seal of Ireland.

XII. And be it further enacted, That where any Benefice or Benefices shall be united or appropriated to any Dignity or Prebend, in pursuance of this Act, and the Incumbent of such Benefice or Benefices shall die, resign or be removed, then the next Incumbent or Person succeeding in the Place of him so dying, resigning or being removed, shall be chargeable with, and shall accordingly pay the First Fruits of such Benefice or Benefices so united and appropriated, as if he were legally collated or instituted and inducted to the same; and to the end that such Incumbent, Dignitary or Prebendary may be respectively charged with such First Fruits, the Archbishops and Bishops of Ireland shall and they are hereby respectively required, each in their respective Dioceses, to make and return to the First Fruits Office

If no Time specified, Appropriation, &c. shall not take effect until Vacancy of Dignity.

Dignitary not to be discharged from Residence on Benefice, but to be subject to Duties, &c. as a Dignitary.

5 G. 4. c. 91.

The King's Assent, as Patron, may be signified by Lord Lieutenant.

Where Benefice is united to a Dignity Incumbent, &c. succeeding shall pay First Fruits.

Bishops to return Certificate of Death, &c. of Incumbent, and Name of Successor, &c.

a Certificate of the Death, Removal or Resignation of any such Incumbent or Incumbents of such Benefice or Benefices so united or appropriated, and the Name of the next Incumbent or Person succeeding in the Place of him so dying, resigning or being removed as aforesaid, within such Time and in such and the same Manner as Certificates are or usually have been made and returned upon the Institution or Collation of Incumbents to Livings or Benefices in *Ireland*.

Unions, &c.

be enrolled into
Chancery within
Six Months, &c.
Fee.

XIII. And be it further enacted, That all and every Union or Appropriation, or Disunion or Disappropriation, which shall be made by virtue of this Act, shall be enrolled in the Rolls Office of the High Court of Chancery in *Ireland*, within Six Calendar Months next after the making thereof, for the Enrolment whereof respectively the Fee of Thirteen Shillings and Four pence shall be paid, and no more; and that every Instrument under the Hands of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and His Majesty's Privy Council there, testifying any such Union, Appropriation or Disappropriation, shall contain therein a Clause or Proviso that the same shall be enrolled within Six Calendar Months after the Date thereof, or else to be void.

C A P. LXXIV.

An Act for consolidating and amending the Laws relating to Prisons in *Ireland*. [31st May 1826.]

‘ WHEREAS an Act made in the Fiftieth Year of the Reign of His late Majesty, intituled *An Act for repealing the several Laws relating to Prisons in Ireland, and for re-enacting such of the Provisions thereof as have been found useful, with Amendments*, and the several Acts for amending the same, have not proved sufficient for the Purposes required; and it is expedient that the said Acts should be repealed, and that the Regulations therein contained should be consolidated and amended:’ Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act the said recited Act of the Fiftieth Year of His said late Majesty's Reign shall be repealed; and that the several Acts hereinafter mentioned shall also be repealed; that is to say, an Act made in the Fifty fifth Year of His said late Majesty's Reign, intituled *An Act to amend an Act of the Fiftieth Year of His present Majesty's Reign, relating to Prisons in Ireland, so far as concerns Contracts for building or repairing such Prisons*; an Act made in the Fifty seventh Year of His said late Majesty's Reign, for amending the said recited Act of the Fiftieth Year of His said late Majesty's Reign; so much of an Act passed in the Fifty ninth Year of His said late Majesty's Reign, intituled *An Act to amend the Laws for repairing and improving the Roads and other Public Works in Ireland by Grand Jury Presentments, and for a more effectual Investigation of such Presentments, and for further securing a true, full and faithful Account of all the Monies levied under the same*, as in any way relates to Gaols, Bridewells, Workhouses, Houses of Correction

50 G. S. c. 103.

55 G. S. c. 92.

57 G. S. c. 71.
wholly repealed.

59 G. S. c. 84.
in part repealed.

or other Prisons, so far only as the said Act or any of the Provisions therein contained are contrary to this Act; another Act made in the Fifty ninth Year of His said late Majesty's Reign, intituled *An Act to amend an Act of the Fiftieth Year of the Reign of His present Majesty, relating to Prisons in Ireland*; and an Act made in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the Laws relating to Prisons in Ireland*; and the said several Acts and Parts of Acts are hereby declared to be repealed accordingly; except so far as the said recited Acts, or any of them, repeal any former Act or Acts of Parliament; and also except so far as relates to all Acts, Matters and Things acted and done under the said recited Acts hereby repealed, or any of them, at any Time before the Commencement of this Act, all which Acts, Matters and Things shall be and remain good, valid and effectual to all Intents and Purposes whatsoever; and also except as to the Recovery and Application of any Penalty for any Offence which shall have been committed against any of the said Acts previous to the Commencement of this Act.

59 G.S. c.100.

3 G.4. c.64.
wholly re-
pealed.

Exception.

II. And be it further enacted, That from and after the Commencement of this Act it shall and may be lawful for the Grand Jury of any County, County of a City or County of a Town in *Ireland*, save and except the Grand Jury of the City of *Dublin*, and any and every such Grand Jury is and are hereby authorized, empowered and required, at each and every or any Assizes or Presenting Term respectively, with the Consent and Approbation of the Court or Judge, to appoint not less than Eight nor more than Twelve Persons, One Half of whom at least shall be Justices of the Peace for the County, County of a City or County of a Town wherein such Appointment shall take place, to be a Board of Superintendence of every Gaol, Bridewell, House of Correction or other Prison within such County, County of a City or County of a Town respectively, and not being a Prison of a different County, County of a City or County of a Town; and that it shall and may be lawful for the Grand Jury at any subsequent Assizes or Presenting Term for any such County, County of a City or County of a Town, to appoint a new Board of Superintendence, or to remove any Member or Members of the existing Board, or to appoint so many new Members of any such existing Board as they shall think proper, and as the Case may require, but so as that there shall not at any Time be more than Twelve Members of any such Board; and any Three or more of such Board of Superintendence, One of whom at least shall be a Justice of the Peace, shall be in all Cases competent to do and perform any Matter or Thing whatsoever in execution of any Duty required to be done and performed, or which might be lawfully done and performed by the whole Board of Superintendence, in virtue of any Powers granted to them by this Act or by any other Act in which there shall not be an express Provision to the contrary; and every Act done or performed by such Three Members of such Board of Superintendence, One of whom at least shall be a Justice of the Peace, shall be as valid and effectual, to all Intents and Purposes whatsoever, as if done by the whole Board of Superintendence; and it shall and may be lawful for the Grand Jury of every such County, County of a City and County of a Town, to make all Presentments

Grand Juries
to appoint a
Board of Su-
perintendence
of the Gaols
within the
several Coun-
ties, &c. in
Ireland.Powers of the
Board.Grand Jury
may make Pre-
sentments to
such Board.
of

of Money under this Act to such Board of Superintendence, to be by them appropriated to the several Purposes for which such Monies are intended; and also, if they shall think proper so to do, to present in advance to such Board any reasonable Sum or Sums which such Grand Jury shall deem necessary for any of the Purposes for which Presentments are or shall be allowed by this Act, or by any Act which shall at any Time or Times be in force in *Ireland*, relating to Repairs, Accommodation or Discipline of Prisons, or of the particular Prison or Prisons in respect of which such Advance may be desired; and every Sum so presented in advance shall and may be afterwards applied or applicable, by and under the Orders of such Board of Superintendence, to the Purposes for which the same shall be so presented respectively, and shall be afterwards duly accounted for according to Law.

Board empowered to visit all Prisons, and to examine them, and Conduct of Officers, &c.

III. And be it further enacted, That it shall and may be lawful for such Board of Superintendence to inquire concerning the due Performance of the Rules and Regulations in and by this Act prescribed and required to be observed in Prisons throughout *Ireland*; and also concerning the due Performance of such other Rules and Regulations as may have been or may from time to time be made by or under the Authority of His Majesty's Court of King's Bench in *Ireland*, or with the Approbation of any One or more of the Judges of the said Court of King's Bench, as hereinafter mentioned; and also to examine into the State and Repair of the Buildings, the Conduct and Situation of the Prisoners in every or any such Gaol, Bridewell, House of Correction or other Prison respectively, and of all Persons concerned in the Government or Management thereof, or holding any Office or Employment therein or relating thereto respectively; and such Board of Superintendence are hereby authorized and empowered to examine on Oath any Officer, or any other Person or Persons whomsoever, touching the Conduct of any Officer of any such Prison, or of any Prisoner therein, or touching or relating to the Government and Management of such Prison, and the Promotion of Industry and Order therein, and the Classification and Distribution of Offenders and Prisoners in any such Prison; and if it shall appear to the said Board, by Evidence on Oath or otherwise, that the Persons concerned in the Government or Management of any such Prison, or any of them, or any Person holding any Office or Employment therein or relating thereto, have misbehaved therein, by any Neglect or Breach or Nonobservance of the Rules and Regulations, or any of them, to which they were respectively bound by Law to conform, then it shall be lawful for such Board of Superintendence, and they are hereby authorized and empowered, to make a Report respecting such Misbehaviour to the next going Judge of Assize, and to the Grand Jury at the next Assizes.

on Oath;

and report to next going Judge of Assize and Grand Jury.

Board may make Bye Laws which, when approved by Grand Jury, and a Judge of K. B., shall be printed and be-

IV. And be it further enacted, That it shall and may be lawful for such Board of Superintendence to make Bye Laws for each and every or any Gaol or other Prison under their Superintendence, not inconsistent with the Regulations contained in this Act; and that such Bye Laws, when approved by a succeeding Grand Jury, and by One or more of the Judges of His Majesty's Court of King's Bench in *Ireland*, shall be printed and posted in the

the Prison, and obeyed as Standing Regulations of such Gaol or other Prison; and it shall be the Duty of the Local Inspector of every Prison appointed under this Act to see that such Bye Laws, and also all other Regulations made by this Act, or by any competent Authority under this Act, are carried into full Force and Effect, and that no Magistrate shall have Authority to alter or add to such Bye Laws or Regulations, or in any manner to interfere with the Discipline of the Prison, and that the Sheriff shall not interfere therein, further than may be necessary for the safe Custody of the Prisoners.

come the
Standing Re-
gulations for
Gaols.

V. Provided also, and be it enacted, That it shall be lawful for any Justice of the Peace for any County, County of a City or County of a Town in *Ireland*, at his own free Will and Pleasure, to enter into and examine any Prison of such County, County of a City or County of a Town, at such Time or Times, and so often as he shall see fit, and if he shall discover any Abuse or Abuses therein he is hereby required to report them in Writing to the Board of Superintendence to be appointed under this Act: and when and so often as a Report of any Abuse or Abuses in any such Prison shall be made by any such Justice of the Peace, the Abuse or Abuses so reported shall be taken into immediate Consideration by the Board of Superintendence as aforesaid, and they are hereby required to adopt the most effectual Measures for inquiring into and rectifying such Abuse or Abuses so soon as the Nature of the Case will allow.

Any Justice
may visit the
Prison, and
report Abuses
to the Board of
Superin-
tendence.

VI. And be it further enacted, That every Gaol, Bridewell, Marshalsea, Penitentiary House, House of Correction, Sheriff's Prison and other Prison, in *Ireland*, of what Nature or Kind soever the same shall be, shall consist at the least of Two separate Parts, One for Male and One for Female Prisoners, with a complete Division between them, so as to prevent any Intercourse between the said Male and Female Prisoners; and that to each of the said Parts there shall be annexed and belong a Yard, of sufficient Dimensions to enable the said Prisoners to have the Benefit of fresh Air and Exercise therein; and that in every such Yard there shall be a Necessary House or Privy, to which such Prisoners respectively shall have free Access at all Times, so far as the same can be consistently with the safe keeping of such Prisoners; and that there shall be in every such Yard a Supply of good Water; and that in every such Prison there shall be a Common Hall for Males, and another for Females; and that in every County Gaol or House of Correction the most effectual Means shall be adopted for the Security, Classification, Health, Inspection, Employment and Religious and Moral Instruction of the Prisoners; the Building shall be so constructed or applied, and the Keepers' and Officers' Apartments so situated, as may best ensure the Safety of the Prison, and facilitate the Controul and Superintendence of those committed thereto; distinct Wards and dry and airy Cells shall be provided, in which Prisoners of the several Descriptions and Classes hereinafter enumerated may be respectively confined; and it shall be considered as a primary and invariable Rule, that the Male Prisoners shall in all Cases be separated from the Female, so as to prevent any Communication between them; Provision shall be made for the Separation of Prisoners into the

Distinct Apart-
ments, Yards,
and other Ac-
commodations
for different
Classes of Pri-
soners, to be
provided as
herein de-
scribed.

following Classes : — If a Gaol, First, Debtors and Persons confined for Contempt of Court on Civil Process ; Secondly, Prisoners convicted of Felony ; Thirdly, those convicted on Trial of Misdemeanors ; Fourthly, those committed on Charge or Suspicion of Felony ; Fifthly, those committed on Charge of Misdemeanors or for want of Sureties : — If a House of Correction, First, Prisoners convicted of Felony ; Secondly, Prisoners convicted upon Trial of Misdemeanors ; Thirdly, those committed on Charge or Suspicion of Felony ; Fourthly, those committed on Charge of Misdemeanors ; Fifthly, Vagrants : — Places of Confinement shall also be set apart in every Gaol and House of Correction for such Prisoners as are intended to be examined as Witnesses in behalf of the Crown in any Prosecutions ; and such further Means of Classification shall be adopted as shall be deemed conducive to good Order and Discipline ; separate Infirmaries shall be provided for the Two Sexes ; and Warm and Cold Baths or Bathing Tubs shall be introduced into such Parts of the Prison as may be best adapted for the Use of the several Classes ; separate Common Halls and Yards shall be allotted to the different Classes for Air and Exercise, and each Class shall have the Use of a Privy, and be furnished with a Supply of good Water ; a separate Sleeping Cell shall, if possible, be provided for every Prisoner, but as the Numbers may sometimes be greater than the Prison is calculated to contain under that Arrangement, and as it is expedient that Two Male Prisoners only should never be lodged together, a small Proportion of Cells or Rooms shall be provided for the Reception of Three or more Persons ; every Prison shall contain Rooms and Places properly fitted up for the Exercise of Labour and Industry, and also a competent Number of Cells, adapted to solitary Confinement for the Punishment of refractory Prisoners, and for the Reception of such Persons as may by Law be confined therein ; One or more Chapel or Chapels shall be provided in every Prison, in such a convenient Situation as to be easy of Access to all the Prisoners, it shall be fitted up with separate Divisions for Males and Females, and also for the different Classes, and shall be strictly set apart for Religious Worship, or for the occasional Religious and Moral Instruction of the Prisoners, and shall never be appropriated to or employed for any other Purpose whatsoever.

Expences of building, &c. of Marshalsea and all Penitentiary Houses to be paid out of Consolidated Fund ;

Expences of County Gaols, &c. to be paid by Presentments.

VII. And be it further enacted, That all and every the Expence of building, purchasing, procuring, altering, enlarging and repairing the Marshalsea of the Four Courts in *Dublin*, and all and every Penitentiary House or Houses in *Ireland*, shall be discharged, and all and every Rent payable for or in respect thereof, or of the Ground or Appurtenances thereof respectively, shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland* ; and the said Expences of all County Prisons, whether Gaols, Bridewells, Houses of Correction, Sheriff's Prisons or otherwise, shall be defrayed by the respective Counties, Counties of Cities and Counties of Towns, by Presentments on the said Counties, Counties of Cities or Counties of Towns, to be made by the Grand Juries thereof respectively ; (to wit,) in the County of *Dublin* and County of the City of *Dublin*, at the presenting Terms, and in the other Counties, Counties of Cities and Counties of Towns, at their respective Assizes, save as hereinafter particularly mentioned.

VIII. And

VIII. And be it further enacted, That every such Presentment of any Grand Jury shall well and sufficiently describe and present the Site of every such intended Work, and the Quantity and Situation of the Ground required for the same, and the Plan and Elevation thereof, either in the Body of such Presentment, or in a Map, Plan, Chart or Schedule annexed to such Presentment.

Presentment to describe Site and Plan of Work proposed.

IX. And be it further enacted, That all Presentments by this Act required to be made in the County and County of the City of *Dublin*, for the Purposes of this Act, shall be good, valid and effectual to all Intents and Purposes, and shall and may be paid and applied to the Purposes of this Act, in addition to the Amount of any Presentments which may by Law be made in the said County and County of the City, under and by virtue of any Act or Acts in force in *Ireland* at the Time of the passing of this Act.

Presentments in *Dublin* to be in addition to all others authorized by Law.

X. And be it further enacted, That it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, to order and direct, whenever he or they shall think proper, that the said Marshalsea of the Four Courts shall be altered, enlarged or repaired, or that a new Marshalsea shall be built on the same or any other Site or Situation, and on any Plan comprising the Accommodations and Advantages in that respect before mentioned, which he or they shall think proper; and in like manner, that any Penitentiary House or Houses shall be built, altered, enlarged or repaired, at such Time or Times, on such Plan or Plans, comprising the said Advantages, and in such Place or Places as he or they shall think proper; and to issue his and their Order to the Board of Works for the executing of such Work accordingly, who shall cause the same to be executed according to such Order, and in such Way, whether by Contract or otherwise, as shall be directed by such Order, and for Default of such Direction, then and in such Way as the said Board shall think proper.

Lord Lieutenant may order the enlarging, repairing, &c. of Marshalsea and Penitentiaries.

XI. And be it further enacted, That it shall and may be lawful for the Grand Juries of the several Counties, Counties of Cities and Counties of Towns in *Ireland* respectively, at the Assizes and Presenting Terms respectively, and they are hereby required from time to time to inquire into the State of the Gaols, Bridewells, Houses of Correction and other Prisons of their respective Counties, Counties of Cities and Counties of Towns; and if they shall find them, or any of them, in want of repair or deficient in any of the Accommodations or Advantages aforesaid, they are hereby empowered and required to present such Sum or Sums as shall be deemed necessary to remedy such Deficiency, whether by enlarging or altering the same, or by providing a new Prison in lieu thereof, or by building any new and additional Bridewell or Bridewells or House or Houses of Correction, or to effectuate such Repair as may be necessary; and it shall be lawful for the Grand Jury, at any Assizes or Presenting Term, to present One or more Main or Mains, or Pipes, of such Bore or Bores as they shall think proper, to be laid in the most convenient Line to convey Water to any such Gaol or other Prison, whenever they shall find it possible and deem it expedient so to do, and shall have the Consent of the Owner or Owners of the Water so to be conveyed, and accordingly at all Times to convey Water through the same, and

Grand Juries to make Presentments for Expenses of County Prisons;

and also for laying on Water when deemed expedient.

to present such Sum or Sums as shall be necessary for the Purpose; and also to present, at any Assizes or Presenting Term, a reasonable Sum to be raised upon the County, County of a City or County of a Town, and paid as a Rent for the Use of the Water to be so conveyed, if the same shall be demanded: Provided always, that if any Person or Persons shall think they may be injured by the passing of such Pipes or Watercourses through their Lands, they may at the said Term or Assizes, or at the Term or Assizes immediately following, enter in open Court a Traverse to the said Presentment, which Traverse shall be tried at the then or immediately succeeding Term or Assizes, unless the Court shall see reason further to postpone the same; and the Jury trying such Traverse shall find on their Oaths whether any and what Damage will arise to the Person or Persons so traversing, and the Verdict so found shall be conclusive to the Party or Parties; and either in the same or the next succeeding Term or Assizes, the Grand Jury of the said County, County of a City or County of a Town, shall and they are hereby required to present such Sum so found, to be raised upon the County at large, and paid to such Traverser or Traversers; and upon the Sum so found being paid or tendered, it shall be lawful for the Overseers or Persons employed by them to proceed to cause the said Main or Pipe to be laid, or Watercourse to be made; and if any Person or Persons shall at any Time obstruct the Overseers, or the Person or Persons employed in laying such Main or Pipe, or making such Watercourse, and shall be convicted thereof before any One Justice of the Peace for such County, County of a City or County of a Town, either upon Confession of the Party accused or upon the Oath of One credible Witness, every such Person shall for every such Offence forfeit the Sum of Five Pounds, to be paid to the Treasurer of the County, County of a City or County of a Town, to be by him placed to the Credit of the County, County of a City or County of a Town, to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so offending, upon the Warrant of the Justice of the Peace before whom Complaint shall be so made.

Damage to Parties to be found and presented.

Obstructing the laying of Water Pipes.

Penalty.

Damaging Water Pipes in Prisons.

Penalty.

Bridewells.

' XII. And the better to preserve such Pipe, Main or Watercourse, when laid or made; Be it enacted, That if any Person or Persons shall wilfully destroy or injure any Part of the said Pipe or Main or Watercourse, or of any Pipe, Main or Watercourse, through which Water shall be conveyed to any Prison in Ireland, or to any of the Yards or Buildings thereto belonging, so as to prevent the Water from regularly and fully flowing to the same, or shall insert any Cock or Pipe into any Part of such Main, or make any Cut to divert the Water thereof to any other Purpose, and shall upon Indictment be convicted thereof, he or they shall be committed to the County Gaol and shall therein remain in close Confinement for One Year, or until he or they shall pay a Sum of Fifty Pounds, One Half thereof to the Treasurer of the County, to be by him placed to the Credit of the County, and the other Half thereof to the Person or Persons who shall discover and cause the said Offender or Offenders to be convicted.

XIII. And be it further enacted, That all Bridewells which shall be built, repaired, purchased or taken at a Rent under this Act

Act shall be deemed and taken to be County Bridewells, to all Intents and Purposes.

XIV. And Whereas Fires or other sudden Accidents may happen in any of the said Gaols, Bridewells, Houses of Correction or other Prisons, and in such Case it may be necessary that such Gaol, Bridewell, House of Correction or other County Prison should be repaired before there can be any Opportunity to make Provision as aforesaid; Be it enacted, That in case any Fire or other sudden Accident shall happen in any of the Gaols, Bridewells, Houses of Correction or other County Prisons aforesaid, it shall and may be lawful to and for the Board of Superintendence of such County, County of a City or County of a Town, appointed under this Act, and in the City of *Dublin* for any Three or more Justices of the Peace or Magistrates, to cause an Estimate and Valuation to be then forthwith made of the Sum necessary to be expended on the Repair and Preservation of such Gaol, Bridewell, House of Correction or other County Prison, and to cause such Repair to be made; and that thereupon it shall and may be lawful for any Three or more Justices of the Peace for such County, County of a City or County of a Town, being Members of the Board of Superintendence, or Three or more Justices of the Peace or Magistrates in the City of *Dublin* as aforesaid, after having jointly inspected the said Damage, to make an Order under their Hands and Seals on the Treasurer of such County, County of a City or County of a Town, to pay or advance to any Person or Persons specified in such Order such Sum or Sums of Money as may be necessary to complete such Repair, not exceeding the Sum of One hundred Pounds, which Sum or Sums the said Treasurer is hereby required to pay, provided he has in his Hands Money of the said County, County of a City or County of a Town, sufficient for that Purpose; which Sum so paid shall be replaced by Presentment to be made for that Purpose in manner aforesaid, at the first Opportunity which shall occur after the Payment thereof.

How Gaols shall be repaired in case of Accidents.

Money to be advanced by Treasurer of County.

XV. And be it further enacted, That in every County, County of a City or County of a Town in which a certain Rent is or shall be payable for the Gaol, Bridewell, House of Correction or other Prison of such County, County of a City or County of a Town, or any Part thereof, or any of the Appurtenances thereof, the Grand Juries of such Counties, Counties of Cities or Counties of Towns respectively, at their Assizes or Presenting Term, shall present yearly such Rents to be raised upon their respective Counties, Counties of Cities or Counties of Towns; and the Money so presented shall be raised and paid to such Persons to whom such Rents are or shall be respectively payable, without any Deduction whatsoever.

Presentment for Rent of Gaols, &c.

XVI. And be it further enacted, That if at any Time it shall be thought proper to build, alter or enlarge any Gaol, Bridewell, House of Correction or other Prison or Prisons of any County, County of a City or County of a Town, and the Sum or Sums which shall be necessary for that Purpose shall be greater than it may be proper to raise on such County, County of a City or County of a Town in One Half Year, then and in every such Case it shall be lawful for the Grand Jury thereof, at any Assizes or Presenting

The whole Expences to be presented for, and to be raised by Half yearly Instalments.

Presenting Term, to present, in the first Instance, the whole Sum or Sums to be expended therein, and to direct in and by such Presentment or Presentments that the same shall be raised on such County, County of a City or County of a Town, by any Half yearly or Yearly Sums or Instalments, in manner and at the Times therein specified, and the same shall be so raised accordingly : Provided always, that it shall be lawful for any subsequent Grand Jury to present, that any of the said Instalments shall be increased to any Sum which shall be found necessary or proper.

Proviso for Increase.

Lord Lieutenant may advance to Treasurers of Counties Sums presented for, to be repaid out of such Instalments.

' XVII. And for the more speedy Completion of any such ' Work ;' Be it enacted, That so soon as such Presentment or Presentments shall be made, or at any Time or Times after making of such Presentment or Presentments, and before the Completion of such Work, it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, if he or they shall think proper so to do, to cause to be advanced out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, to the Treasurer of such County, County of a City or County of a Town, on the Faith of such Presentment or Presentments, the whole of the Sum so presented, or so much thereof as shall not have been raised or received at the Time of such Advance, or any Part, Share or Proportion thereof ; such Sum or Sums to be applied by such Treasurer to the Purposes of such Presentment or Presentments, in the same Manner in all respects as if the same had been raised by or under the same, and to be repaid by such Treasurer for the Time being to the Collector of Excise of the District, but without Interest, out of such Instalment or Instalments as may be specified at the Time of advancing the same ; a Certificate whereof shall be given, without Stamp, by such Treasurer at the Time of receiving such Money.

Certificate thereof without Stamp.

Appointment of Commissioners of Works by Grand Juries.

XVIII. And be it further enacted, That when any Presentment shall be made for building, rebuilding, repairing, finishing, altering or enlarging any Gaol, Bridewell, House of Correction or other County Prison or Prisons as aforesaid, it shall and may be lawful for the Grand Jury making such Presentment or Presentments to appoint not less than Six nor more than Twelve Persons to be Commissioners for causing the said Presentment or Presentments to be carried into Execution and Effect, and if they shall not do so, or if any of the Persons so appointed shall die or shall cease to act as such Commissioner before such Work shall be completed, then and in every such Case it shall and may be lawful for any succeeding Grand Jury to appoint such Commissioners or to complete the Number thereof as the Case may require, or to add to the same, but so as that there shall not at any One Time be more than Twelve such Commissioners ; and any Three or more of such Commissioners shall be in all Cases competent to do any Act which the Whole of the said Commissioners could or might lawfully do ; and that any Three of such Commissioners, duly assembled for the Discharge of any Business, or for the Execution of any Power or Authority of the said Commissioners, shall to all intents and Purposes be deemed and taken to be such Commissioners, as fully as if all such Commissioners were actually present and concurring in any Act.

Powers of Commissioners.

XIX. And

XIX. And be it further enacted, That such Commissioners after such Presentment or Presentments made as aforesaid shall give Notice of such Presentment or Presentments having been made, Three Times at least in some public Newspaper circulating in or near such County, County of a City or County of a Town, of their Intention of contracting with any Person or Persons for building, rebuilding, repairing, finishing, altering or enlarging any such Gaol, Bridewell, House of Correction or other Prison or Prisons, or for the laying such Main or Pipe to such Gaol, Bridewell, House of Correction or other Prison or Prisons as aforesaid, or for doing any Part or Parts of any such Work.

Commissioners to give Notice of Presentment and intended Contract.

XX. Provided always, and be it enacted, That nothing in this Act contained shall extend to authorize any such Grand Jury or Grand Juries, or Commissioners appointed by them, and that it shall not be lawful for any Grand Jury or such Commissioners to begin to build or rebuild or to alter or enlarge any such Gaol, Bridewell, House of Correction or other County Prison, until the Plan and Site thereof, and also the Contract or Contracts upon which the same is proposed by the Commissioners to be executed, or Copies or Fac Similies thereof, shall, after having been previously approved of by the Grand Jury, be transmitted to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, together with the Report of the Inspectors General of Prisons or of One of them, nor until the same shall be agreed to and approved of by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being; and that it shall not be lawful for the Grand Jury to vary or depart from the Plan, Site or Contract so agreed to and approved without the Consent of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*.

Plan of Building, &c. to be approved of by Lord Lieutenant.

XXI. And be it further enacted, That it shall and may be lawful for such Commissioners, and they are hereby authorized and empowered to enter into Contracts for the Execution of any such Work after such Approbation, first by the Grand Jury, and then by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being; and every such Contract or Contracts shall be made at the most reasonable Price or Prices which shall be proposed by such Contractor or Contractors as shall be deemed by the said Commissioners the most responsible and proper Persons to carry such Contract or Contracts into Execution respectively; and all such Contract or Contracts shall be entered by the Clerk to the said Commissioners in a Book to be kept by the said Commissioners, which Book, when such Works are completed, shall by the said Clerk to the Commissioners be delivered to the respective Clerks of the Peace for the Time being, who are hereby required to keep the same among the Records of the County, County of a City or County of a Town.

Commissioners empowered to contract.

Contracts to be entered and recorded.

XXII. And be it further enacted, That every Contractor with the said Commissioners for any of the Purposes hereinbefore mentioned shall, before such Contract shall be deemed valid and effectual, give sufficient Security by Recognizance in Double the Amount of the Sum contracted to be paid for such Work, to be approved by the said respective Commissioners, for the due Performance thereof; such Security to be by Bond to His Majesty,

Contractors to give Security by Recognizance.

To be recorded.

His

His Heirs and Successors, and to be delivered to the Clerk of the Peace for the County, County of a City or County of a Town, to be kept among the Records thereof respectively.

Renting or
purchasing
Houses,
Grounds, &c.

XXIII. And be it further enacted, That all and every the Grand Juries aforesaid shall have full Power and Authority to rent or purchase any Houses, Buildings, Lands, Tenements or Hereditaments which may be necessary for the Site of such new Gaol or other Prison or Prisons, or adjoining to such old Gaol or other Prison or Prisons, for the Purpose of enlarging the same, or the Courts or Outlets thereunto belonging, and which shall be mentioned as such in such Presentment, or in any Chart or Schedule annexed thereto; and to direct the Houses, Buildings, Lands, Tenements and Hereditaments, so rented or purchased, to be conveyed to such Commissioners as the said Grand Jury or Grand Juries shall have so appointed as aforesaid, and to their Heirs, Executors, Administrators and Assigns, in trust for the Uses and Purposes aforesaid.

Corporate
Bodies, Infants,
&c. interested
empowered to
sell.

XXIV. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands and Guardians of such Tenants for Life or in Tail, or of Tenants in Fee Simple, Trustees and Feoffees in Trust, Committees, Executors and Administrators, and all other Trustees or Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert or other Person or Persons, and to and for all Femes Covert who are or shall be seised, possessed or interested in their own Right, or entitled to Dower or other Interest, and for all other Persons whomsoever who are or shall be seised or possessed of, interested in or entitled unto any Estate or Interest in any manner whatsoever, in any Lands, Grounds, Houses, Tenements, Edifices, Erections or Buildings which by the said Grand Juries respectively shall be thought necessary to be rented or purchased for any of the Purposes of this Act, and so presented as aforesaid, to contract for, and by Deed indented and enrolled to demise, sell or convey all or any such Lands, Grounds, Houses, Tenements, Edifices, Erections or Buildings, or any Part thereof, and all the respective Estates and Interests therein, to the said Commissioners, and their Heirs, Executors, Administrators and Assigns; and that all Contracts, Agreements, Bargains, Sales and Conveyances, which shall be so made by such Persons as aforesaid, shall be good and valid in the Law to all Intents and Purposes whatsoever, any Law, Statute, Usage or Custom to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate or Collegiate, and all Persons whosoever so contracting, demising, selling or conveying as aforesaid, are hereby indemnified for or in respect of any such Sale which he, she or any of them shall respectively make by virtue or in pursuance of this Act; and such Commissioners, and their Heirs, Executors, Administrators and Assigns, shall be Trustees of all such Houses, Lands, Tenements and Hereditaments as shall be conveyed to or vested in them under or by virtue of this Act, for the Purposes herein provided, and no other.

Modes of Con-
veyance.

Commissioners
to be Trustees
of Premises
conveyed.

XXV. And

XXV. And be it further enacted, That if any Body or Bodies Politic or Corporate, or other Person or Persons having or claiming to have any Estate, Title, Term or Interest in or to such Lands, Grounds, Houses, Tenements, Edifices, Erections or Buildings as aforesaid, or any Charge, Lien or Incumbrance thereon, shall refuse to agree or shall not agree with the said Grand Juries respectively, for the Sale and Conveyance of their respective Rights, Terms and Interests therein, or shall not produce or evince a clear Title to such Estate, Rights, Titles, Terms or Interests as they shall or may so claim, or if the said Grand Juries respectively shall be ignorant who are entitled to the same, then and in every or any such Case it shall and may be lawful to and for the said Commissioners, and they are hereby empowered and authorized, from time to time, to issue a Warrant or Warrants, Precept or Precepts, to the Sheriff of the County, or County of a City or County of a Town wherein the Lands, Grounds, Tenements or Hereditaments so to be purchased respectively shall be situate, or to such other proper Sheriff as hereinafter is provided; and such Sheriff is hereby authorized, directed and required accordingly to impanel, summon and return a competent Number of substantial Persons qualified to serve on Juries, not less than Sixty nor more than Eighty, out of which Persons so to be impanelled, summoned or returned, a Jury of Twelve Persons shall be drawn by some Person to be by the said Commissioners appointed, in such manner as Juries for the Trials of Issues joined in His Majesty's Four Courts at *Dublin* are or shall then be by Law directed to be drawn in *Ireland*; which Persons so to be impanelled, summoned and returned as aforesaid, are hereby required to come and appear before the said Commissioners at such Time and Place as in such Warrant or Warrants, or Precept or Precepts, shall be directed and appointed (such Time not being less than Seven Days nor more than Fourteen Days after such Warrant or Warrants, or Precept or Precepts, shall be served upon such Persons), and to attend the said Commissioners till discharged by them; and all Persons concerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not be at liberty to challenge the Array: Provided always, that Fourteen Days' Notice at the least, in Writing under the Hands of the said Commissioners, of the Time and Place of any such Jury so being impanelled, summoned and returned, shall be and is hereby required to be inserted in the *Dublin Gazette*, and also to be given to the Owners, Proprietors, Occupiers, Corporations, Trustees or any other Person or Persons interested in any such Land, Ground, Houses, Tenements, Edifices, Erections or Buildings, or to be left at the respective Dwelling Houses or Places of Abode of such Person or Persons, or of the proper Officer or Officers of such Corporations, at the House or Houses of the Tenant or Tenants in Possession of Land, Ground, Houses, Tenements, Edifices, Erections or Buildings.

XXVI. Provided always, and be it enacted, That if any Prison shall be built or intended to be built within any County of a City or County of a Town, and shall be or shall be intended to be the Prison of any County at large, then and in every such Case the Warrant or Warrants, or Precept or Precepts, (hereinbefore directed

Jury to be summoned in case of Refusal to sell, &c.

How Jury returned.

Jurymen may be challenged, but not the Array.

Notice of impannelling, &c. published.

When County Prison is to be built in a Town, the valuing Jury shall be summoned

removed from
the County.

rected to be issued by the Commissioners to the Sheriff of the County, County of a City or County of a Town wherein the Land, Ground, Tenements or Hereditaments to be purchased shall be situate,) shall be directed to the Sheriff of the County to which such Prison shall belong, and the Sheriff of such County shall return a Panel, and a further Panel as aforesaid, if necessary, of his proper County; and such Proceedings being thereon had as herein directed in all other respects, the same shall be as binding, and shall have all and every other the same Effects and Consequences as if such Jury Process had gone to the Sheriff in whose Bailiwick such Premises lay.

On Default of
Twelve Jurors,
others to be
summoned.

XXVII. And be it further enacted, That in any Case of Trial by Jury before the said Commissioners, where a full Jury shall not appear before them, or where, after the Appearance of a full Jury, it shall so happen, either by means of Challenges or otherwise, that there shall be a Default of Twelve Jurors for such Trial, it shall and may be lawful to and for the said Commissioners to command the Sheriff of the County, County of a City or County of a Town, to impanel so many other Persons as shall make up a full Jury of Twelve Men, which Persons so to be impanelled shall be added to the former Panel; and all Parties interested in such Trials shall have their Challenges to the Jurors so added to the former Panel, as if they had been originally summoned; and the said Commissioners are hereby authorized and empowered, by Precept or Precepts, from time to time as occasion shall require, to call before them all and every Person and Persons whatsoever who shall be thought proper or necessary to be examined as a Witness or Witnesses before them, on their Oath or Oaths, touching or concerning the Premises; and the said Commissioners, if they shall think fit, shall and may likewise authorize and require the said Jury to view the Grounds, Houses, Tenements or Buildings intended to be valued, and shall have Power to adjourn such Meeting from Day to Day and Place to Place, or to any future Day, as occasion shall require, and to command such Jury, Witnesses and Parties to attend until the Business for which they shall be so summoned by virtue of this Act shall be concluded; and the said Jury shall, upon their Oaths, (which Oaths, as also the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Commissioners are hereby required and empowered to administer,) fairly, truly and impartially inquire of the Value of such Grounds, Houses, Tenements and Buildings, and of the respective Estate, Right, Title, Term and Interest of every Person or Persons seised or possessed thereof, or interested therein, or of or in any Part thereof, and shall assess or award the Sum or Sums to be paid to every such Person or Persons for the Purchase of such their respective Estates, Rights, Titles, Terms and Interests, and shall and may also inquire, ascertain and find all and all manner of Charges and Incumbrances and Liens thereon, and the Amount of the Sum or Sums due thereon respectively, and what Estate and Estates therein are subject to any such Liens or Charge respectively; and the said Commissioners, or any Three or more of them, shall and may give Judgment for such Sum and Sums so to be assessed, as and for the Value of the said several Estates in the said Lands, Tenements and Hereditaments, and for the Payment thereof
respect-

Summoning
Witnesses.

Commissioners
may authorize
Jury to view
Grounds, &c.

Power of Ad-
journalment.

respectively, in manner hereinafter mentioned ; which said Verdict or Verdicts, and the said Judgment, Decree or Determination thereupon, shall be binding and conclusive to all Intents and Purposes whatsoever, against all Bodies Politic or Corporate, Infants, Lunatics, Idiots, Femes Covert, Tenants for Life or in Tail, and all Persons under any legal Disability whatsoever, and against all and every Person and Persons whomsoever, his, her or their Heirs, Successors, Executors, Administrators, having or claiming to have or claim any Estate, Right, Trust, Use or Interest in, to or out of the said Grounds, Houses, Tenements, Buildings and Premises, either in Possession or Reversion, Remainder or Expectancy, or in any manner whatsoever, or in any Charge, Lien or Incumbrance thereon ; which said Verdicts, Judgments and Decrees, and all other Proceedings of the said Commissioners, and such Judgments to be made, given and pronounced as aforesaid, shall be fairly written on Parchment, and signed and sealed by the major Part of the said Commissioners who were present and pronounced such Judgments and Decrees ; and all Verdicts of the said Juries, and all Judgments, Decrees, Orders and other Proceedings of the said Commissioners, shall be entered in the Rolls' Office of His Majesty's High Court of Chancery in *Ireland* ; and the same, or true Copies thereof, shall be deemed and taken to be good Evidence thereof in any Court of Law or Equity whatsoever.

Verdicts final.

Judgments to be written on Parchment.

Proceedings to be registered.

XXVIII. And be it further enacted, That upon Payment or Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or determined and adjusted by any Jury in manner respectively hereinbefore provided, for the Purchase or Rent of any such Lands, Grounds, Houses, Tenements or other Hereditaments, to the Proprietor or Proprietors of any such Lands, Grounds, Houses, Tenements or Hereditaments, or to such other Person or Persons as shall be interested therein or entitled to receive such Money in manner herein provided respectively, at any Time after the same shall have been so agreed for or determined ; or if the Person or Persons so entitled or interested, or any of them, cannot be found, or shall refuse to receive the same, or shall not be able to make a good Title to such Lands, Grounds, Houses, Tenements or Hereditaments, to the Satisfaction of the said Commissioners, or shall refuse to execute a Conveyance or Conveyances of such Lands, Grounds, Houses, Tenements or Hereditaments which shall be required for the Purposes of this Act, under the Powers and Authorities herein contained, then upon Payment of the said Sum or Sums of Money into the Bank of *Ireland*, as hereinafter directed and required (in case the same shall be requisite), for the Use of such Person or Persons so interested or entitled as aforesaid, it shall be lawful for the said Commissioners, and their Agents, Servants and Workmen, immediately to enter upon and into such Lands, Grounds, Houses, Tenements and other Hereditaments respectively ; and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Use, Trust and Interest of any Person or Persons therein, shall from thenceforth be vested in and become the sole Property of such Commissioners for the Purposes of this Act ;

Power to enter on Payment or Tender of the Purchase Money.

Bar of Dower.

Act; and such Payment or Tender or Investment shall not only bar all Right, Title, Claim, Interest and Demand of the Person or Persons to whom such Payment or Tender shall or ought to have been made, but shall extend to and be deemed, taken and construed to bar the Dower of the Wife of every such Person, and all Estates Tail and other Estates in Reversion and Remainder of his, her and their Issue, and of any and every other Person or Persons whomsoever therein.

Application of
Purchase
Money when
amounting to
200*l.* or up-
wards.

XXIX. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Land, Ground, Houses, Tenements or Hereditaments, or for any other Matter, Right or Interest, of what Nature or Kind soever, purchased, taken or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic or other Person or Persons under any Disability or Incapacity as hereinbefore mentioned, such Money shall, in case it shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *Ireland*, in the Name and with the Privy of the Accountant General of the Court of Chancery in *Ireland*, to be placed to his Account *ex parte* the said Commissioners, together with the Name or Names of such Person or Persons as any Three of the said Commissioners shall by Writing signed by them appoint; to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by any Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of such Lands, Grounds, Houses, Tenements or Hereditaments, in or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorise to be paid, affecting the same Land, Ground, Houses, Tenements or Hereditaments, or affecting other Land, Ground, Houses, Tenements or Hereditaments standing settled therewith to the same or the like Uses, Intents or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the Direction and Approbation of the said Court, in the Purchase of other Land, Ground, Houses, Tenements or Hereditaments, which shall be conveyed to, for and upon such and the like Uses, Trusts, Intents and Purposes, and in the same Manner as the Land, Ground, Houses, Tenements and Hereditaments, which shall be purchased, taken or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance shall be existing undetermined and capable of taking effect; and in the mean Time, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of any Stocks, Funds or Annuities transferable at the Bank of *Ireland*; and in the mean Time, and until the said Stocks, Funds or Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of such Stocks, Funds or Annuities shall from time to time be paid, by the Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents

Rents and Profits of the said Lands, Tenements and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

XXX. And be it further enacted, That if any Money so agreed to be paid for any Land, Ground, Houses, Tenements or Hereditaments purchased, taken or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Land, Ground, Houses, Tenements or Hereditaments so purchased, taken or used, or of his, her or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified by Writing under their respective Hands, be paid into the Bank of *Ireland*, in the Name and with the Privy of the said Accountant General of the Court of Chancery, and to be placed to his Account as aforesaid, in order to be applied in manner hereinbefore directed; or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Commissioners, or any Three of them, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such Principal Money, and the Dividends arising thereon, may be applied in manner hereinbefore directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

When less than 200*l.* and above 20*l.*

XXXI. And be it further enacted, That where such Money so agreed or awarded to be paid as hereinbefore mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Land, Ground, Houses, Tenements or Hereditaments so purchased, taken or used for the Purposes of this Act, as the said Commissioners shall think fit, or in case of Infancy or Lunacy then to his, her or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

When under 20*l.*

XXXII. And be it further enacted, That in case the Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid shall not be able to make a good Title to any such Land, Ground, Houses, Tenements or Hereditaments, to the Satisfaction of the said Commissioners, or shall refuse to execute such Conveyance or Conveyances, or in case such Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid cannot be found, or if the Person or Persons so entitled to such Lands, Grounds, Houses, Tenements or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Commissioners to order the said Sum or Sums so awarded to be paid into the Bank of *Ireland*, in the Name and with the Privy of the Accountant General of the said Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands,

In case of not making out a good Title, &c. Money to be paid into the Bank.

Grounds, Houses, Tenements or Hereditaments [describing such Parties], subject to the Order, Controul and Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *Ireland*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums, mentioning and specifying for what and for whose Use the same is and are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the said Bank as aforesaid.

Where Question arise touching Title to Money, Persons in Possession deemed entitled.

XXXIII. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *Ireland*, in the Name and with the Privy of the Accountant General of the said Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Grounds, Houses, Tenements or Hereditaments, or of any Estate, Right or Interest in the Land, Ground, Houses, Tenements or Hereditaments to be purchased in pursuance thereof, or to any Stocks, Funds or Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Stocks, Funds or Annuities, the Person or Persons who shall have been in Possession of any such Land, Ground, Houses, Tenements or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Land, Ground, Houses, Tenements or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Stocks, Funds or Annuities to be purchased with such Money, and also the Capital of such Stocks, Funds or Annuities shall be paid, applied and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Land, Ground, Houses Tenements or Hereditaments, or to some Estate or Interest therein.

Court may order reasonable Expences of Purchases to be paid by Commissioners.

XXXIV. And be it further enacted, That where by reason of any Disability or Incapacity of any Person or Persons, or Corporation, entitled to any Land, Ground, Houses, Tenements or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Chancery, and to be applied in the Purchase of other Land, Ground, Houses, Tenements or Hereditaments, to be settled to the like Uses in pursuance thereof respectively, it shall be lawful for the said Court of Chancery to order the Expences of all Purchases from time to time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem

deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners, who shall from time to time pay such Sums of Money for such Purposes as the said Court shall direct.

XXXV. And be it further enacted, That all and every Person or Persons who shall have any Mortgage or Mortgages upon any Land, Ground, Houses, Tenements or Hereditaments to be taken or used for the Purposes of this Act, not being in Possession thereof by virtue of such Mortgage or Mortgages, shall, on the Tender of the Principal Money and Interest due thereon, together with the Amount of Six Calendar Months' Interest on the said Principal Money, by the said Commissioners or by such Person or Persons as they shall appoint, immediately convey, assign and transfer such Mortgage or Mortgages to the said Commissioners or to such Person or Persons as they shall appoint; or in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Commissioners or from such Person or Persons as they shall appoint, that they will pay off and discharge the Principal Money and Interest which shall be due on such Mortgage or Mortgages, at the End or Expiration of Six Calendar Months (to be computed from the Day of giving such Notice), then, at the End of such Six Calendar Months, on Payment of the Principal and Interest so due, such Mortgagee or Mortgagees shall convey, assign and transfer his, her or their Interest in the Premises to the said Commissioners; and in case such Mortgagee or Mortgagees shall refuse to convey and assign as aforesaid upon such Tender or Payment, then all Interest on every such Mortgage shall from thenceforth cease and determine: Provided always, that in case the Sum due upon any such Mortgage or Mortgages, with all Interest due thereon, shall amount to more than the real Value of the Premises, to be ascertained, settled and adjusted by a Jury as aforesaid, then the said Commissioners shall not be liable to pay the Mortgagee or Mortgagees more than the real Value of such Premises so ascertained as aforesaid: Provided also, that in case any Mortgagee shall neglect or refuse to convey or assign as aforesaid, then, upon Payment of the Principal Money and Interest due on any Mortgage as aforesaid into the Bank of *Ireland*, at the End of Six Calendar Months from the Day of giving such Notice as aforesaid, for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the said Bank shall give a Receipt or Receipts for the said Money in like manner as hereinbefore directed in Cases of other Payments into the said Bank; and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim and Demand of such Mortgagee or Mortgagees, and of all and every Person or Persons in trust for him, her or them shall vest in the said Commissioners, and they shall be deemed to be in the actual Possession of the Premises comprised in such Mortgage or Mortgages.

Mortgagees not in Possession to assign and convey.

Notice from Commissioners that they will discharge Mortgage.

Proceedings where Mortgagee refuses to convey.

Femes Covert seized in Fee Simple, &c.

How Purchase Money disposed of.

XXXVI. And be it further enacted, That in case any Feme Covert is or shall be seized in Fee Simple or in Fee Tail of any such Lands, Tenements or Hereditaments so to be purchased as aforesaid by the said Commissioners, or of any Interest in the same, or of any Charge, Incumbrance or Lien thereon, to her separate Use, free from the Controul or intermeddling of her Husband, the Purchase Money to which such Feme Covert shall become or be en-

titled as aforesaid shall be paid to such Person or Persons as she shall in Writing under her Hand nominate to receive the same, in Trust to be re-invested in Lands, Tenements or Hereditaments to be conveyed as aforesaid, or to be laid out upon landed or other Security, in such Manner as the Court of Chancery shall direct, and settled for such Use, Estate and Interest as the same Feme Covert had in the Premises so purchased.

Liens shall remain on Premises not conveyed.

XXXVII. Provided nevertheless, and be it enacted, That where any such Charge, Incumbrance or Lien shall also extend over and be a Charge, Incumbrance or Lien on any Lands, Tenements or Hereditaments other than those which shall be so conveyed to or vested in the said Commissioners, then and in such Case neither this Act nor any Conveyance to be made as aforesaid shall in any respect discharge, affect or alter the Force, Validity or Effect of such Charge, Incumbrance or Lien, so far as relates to such other Lands, Tenements or Hereditaments; but that as to all such the same shall continue to be a good, valid and subsisting Charge, Incumbrance and Lien for so much thereof as shall remain unpaid, in the same Manner in all respects as if this Act or any Thing done under the same had not existed, but not further or otherwise.

Conveyance enrolled within Six Months to be effectual.

XXXVIII. And be it further enacted, That the Conveyance of any Estate or Interest to the said Commissioners, and their Heirs and Successors, by Bargain and Sale duly enrolled in the Rolls Office of His Majesty's High Court of Chancery in *Ireland*, within Six Calendar Months after making thereof, shall as effectually and absolutely convey the Estate of the Person so conveying as any Fine or Recovery would or could do if levied or suffered in due Form of Law.

Consideration Money, &c. to be paid by Treasurer of County, out of Presentments.

XXXIX. And be it further enacted, That all Sums of Money or other Recompence, Consideration or Satisfaction, to be paid and made pursuant to any such Agreement or Verdict as aforesaid, and all such Costs, Charges and Expences as the said Commissioners or their Heirs and Successors, or any of them, shall be at or put to in the Execution of the Trusts and Powers hereby vested in them, shall be paid by the Treasurer of the County, County of a City or County of a Town, out of the Sums so presented as aforesaid.

Sheriff, &c. making Default. Penalty.

XL. And be it further enacted, That it shall and may be lawful to and for the said Commissioners from time to time to impose any reasonable Fine not exceeding Twenty Pounds on any Sheriff or Sheriffs, or their Deputy or Deputies, Bailiffs or Agents respectively, who shall make Default in the Premises, and on any Person or Persons who shall be summoned and returned on any Jury or Juries who shall not appear, and also on any Witness or Witnesses who shall not attend, or shall refuse to be sworn or to give Evidence to the said Commissioners, or to any Jury so impanelled before them, and on any Person or Persons summoned and returned on any such Jury or Juries who shall refuse to be sworn on any such Jury or Juries, or to give his, her or their Verdict, or shall in any other Manner wilfully avoid or neglect his or their Duty in or touching the Premises; and from time to time to levy such Fine or Fines by Order of the said Commissioners, as the Case may require, by Distress and Sale of the Offender's Goods, together with the reasonable Charges of every such Dis-

Distress.

tress

treas and Sale, returning the Overplus (if any) to the Owner; and all such Fines which shall be so recovered and received shall be applied to the Purposes of such Presentment.

XLII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, at any Time or Times hereafter, under their Hands and Seals, to nominate and appoint such Person to be and act as their Clerk, as they shall think fit, for such Matters as may be necessary to be done in the Execution of the Powers and Authorities hereby given to the said Commissioners, provided that no such Clerk shall at any Time be a Commissioner under this Act; and that such Clerk shall from time to time be removable and may be removed at the Will and Pleasure of the said Commissioners, by Instrument in Writing under Hand and Seal; and that the said Commissioners shall and may make such Allowance or Salary unto such Clerk, for his Care and Pains in the Execution of his said Office or Offices, out of the Money so presented, as the said Commissioners shall think reasonable, not exceeding in any One Year Twenty Pounds: Provided always, that as soon as the Building or other Work for which such Commissioners shall have been so appointed as aforesaid shall be completed, and the Accounts of the same finally passed, then and in every such Case the Office, Appointments and Powers of the said Commissioners, and of such Clerks, shall cease and determine.

Commissioners
of Works to ap-
point a Clerk.

Salary.

Proviso.

XLIII. And be it further enacted, That where a Sum not exceeding One hundred Pounds shall be duly presented as aforesaid, for any Addition to any such Gaol, Bridewell, House of Correction or other Prison, or for making any Alterations or Repairs therein, it shall be lawful for the Grand Jury, at the same or any subsequent Assizes or Presenting Term, to present that such Part of the Sum so presented as they may judge proper shall be paid in advance to the Commissioners so appointed as aforesaid to conduct the Execution of such Works, or any One or more of them, upon his or their entering into a Recognizance before the Court in Double the Sum so to be advanced, conditioned that he or they shall apply the Money so to be advanced for the Purposes for which the same was so presented, and none other; and that he or they shall, at the next and every succeeding Assizes or Presenting Term respectively, justly and fairly account for the same, according to Law, until the whole of such Money shall be finally accounted for, and that he or they or his or their Heirs, Executors or Administrators, shall at any Time pay to the Treasurer for the Time being of the said County, County of a City or County of a Town any Balance or Part of such Money which shall not by such Accountant appear to have been applied for the Purposes aforesaid.

Sums to be
paid in advance
to such Com-
missioner.

Payment of
Balance.

XLIII. And be it further enacted, That such Commissioners shall, at every ensuing Assizes or Presenting Term as aforesaid, lay before the Grand Jury and the Court a just and fair Account in Writing of all and every Expenditures of such Money so to be advanced to them, and the particular Purposes for which the same was expended, and the Quantities and Price of each Material bought therewith; and such Account shall be verified by Affidavit in Writing at the Foot thereof, to be made in open Court by One of the said Commissioners, and shall state that the Whole of the

Commissioners
to account be-
fore Grand
Jury.

Money was so expended for the sole Purpose of executing the Work so presented, pursuant to the Presentment thereof: and when any such Work shall be finished, and the Accounts of the said Commissioners approved of and passed by the Grand Jury and the Court, it shall be ordered that all such Recognizances so entered into shall be vacated on the last Day of the next Assizes or Term, and they shall be vacated accordingly, unless upon some sufficient Complaint laid before the Court or the Grand Jury sufficient Cause shall appear to induce the Court to make an Order to the contrary, and provided, if there be any Balance unexpended, a Certificate of the Treasurer of the County, County of a City or County of a Town, shall be laid before the Grand Jury and the Court, setting forth that he had received the said Balance, and applied it to the Credit of the County, County of a City or County of a Town.

Commissioners
may raise
Gravel for the
Purposes of
this Act.

XLIV. And be it further enacted, That all Commissioners or other Persons duly authorized or employed in or for the building, altering, enlarging, or repairing any Gaol, Bridewell, House of Correction or other Prison in *Ireland*, or any of the Appurtenances thereof, shall for such Purpose have all and singular the same Powers of raising and carrying away Sand, Gravel, Stones, Earth or other Materials, as are or shall from time to time be given by any Laws or Law in force in *Ireland* to the Overseers of the Public Roads, and subject to the same Regulations and Restrictions.

Prisoners to be
removed to any
new Gaols
when built.

XLV. And be it further enacted, That whenever any new Gaol or other Prison so to be built and erected as aforesaid shall be made fit for the Reception and safe keeping of such Prisoners as may be lawfully confined and imprisoned therein, and the said Commissioners or any Three or more of them, shall give Notice thereof in Writing to the Sheriff or Sheriffs of such County, County of a City or County of a Town, or to either of such Sheriffs, where there shall be Two, it shall and may be lawful for the said Sheriff or Sheriffs to remove to such new Gaol all such Prisoners as shall be then in Custody, who may lawfully be confined and imprisoned therein.

Removal of
Prisoners
during Repairs,
&c. of Prisons,
regulated.

XLVI. And be it further enacted, That whenever at any Assizes or Term it shall be ordered by the Court of King's Bench, or Judges or Judge of Assize, that the Prisoners confined in any Gaol, Bridewell, House of Correction or other Prison, or any of them, shall be removed for the Purpose of repairing such Gaol, Bridewell, House of Correction or other Prison, or of using the Materials thereof in building a new Gaol, Bridewell, House of Correction or other Prison, pursuant to any Presentment for such Purpose, or whenever on any sudden Accident an Order shall be made by Three Justices of the Peace as aforesaid, for the Repairs of such Gaol, Bridewell, House of Correction or other Prison, and such Order shall direct the Removal of the Prisoners therein or any of them, for the Purpose of making such Repairs, then and in any of the said Cases it shall and may be lawful for the Sheriff or Sheriffs of such County, County of a City or County of a Town, to remove such Prisoners to any Gaol, Bridewell, House of Correction or other Prison, belonging to such County, County of a City or County of a Town, or to such other Place or Places as with the Consent of the said Sheriff shall be specified in any such Order,

der, and to confine them during the Time such new Gaol, Bridewell, House of Correction, or other Prison shall be building, or old Gaol, Bridewell, House of Correction or other Prison repairing; and when any such Gaol, Bridewell, House of Correction or other Prison so under Repairs shall be made fit for the Reception and safe keeping of such Prisoners, and the same shall be certified by the Commissioners thereof (if any) or any Two of them, or by any Three Justices of the Peace of such County, then it shall be lawful for the said Sheriff to remove thither all such Prisoners as shall be then in his Custody, and may lawfully be confined and imprisoned therein; and the Expence of such Removal or Removals in any of the Cases aforesaid, and any Expence the said Sheriff shall be put to, for or by Means of the safe Custody of the said Prisoners, or any of them, in such Gaol, Bridewell, House of Correction or other Prison to which they may have been removed, for any of the temporary Purposes aforesaid, shall be allowed and paid by such County, County of a City or County of a Town, by any Presentment to be made for that Purpose at the ensuing Assizes or Presenting Term; and any such Removal or Removals shall not be deemed or taken to be an Escape.

XLVII. And be it further enacted, That when any new Gaol, Bridewell, House of Correction or other Prison so to be built and erected, for any County, County of a City or County of a Town, or any old Gaol, Bridewell, House of Correction or other Prison thereof, which shall require any Addition thereto, shall be situate within the Limits of any other County, County of a City or County of a Town, then and in every such Case such new Gaol, Bridewell, House of Correction or other Prison, and all Additions which shall be so made to such old Gaol, Bridewell, House of Correction or other Prison, together with the Ground whereon the same shall be built respectively, and all Courts, Yards, Outoffices, Buildings and other Appurtenances thereto belonging, shall, from the Time of receiving Prisoners into such new Gaol, Bridewell, House of Correction or other Prison, or of completing such Addition, be deemed, taken and adjudged to be Part of the County, County of a City or County of a Town, to which such Gaol, Bridewell, House of Correction or other Prison shall belong, to all Intents and Purposes; and whensoever any Gaol, Bridewell, House of Correction or other Prison of any County shall cease to be a Prison of such County, County of a City or County of a Town, and shall be situate within the Limits of any other County, County of a City or County of a Town, then and in every such Case such Gaol, Bridewell, House of Correction or other Prison, with all its Appurtenances, shall thenceforth be deemed and taken to be Part of the County, County of a City or County of a Town, wherein the same shall be so situate, any Charter, Law or Usage to the contrary thereof in anywise notwithstanding.

XLVIII. And be it further enacted, That after any new Gaol, Bridewell, House of Correction or other Prison shall be erected and made fit for the Reception of Prisoners, it shall be lawful for the Grand Jury of the County, County of a City or County of a Town, at any Assizes or Presenting Term, with the Consent of the Court, to present the old Gaol, Bridewell, House of Correction or other Prison, or the Ground or Soil thereof, to be sold by

Gaols built, or Additions thereto, shall be deemed Part of County.

When new Gaols are built, old ones to be sold or converted;

or the Site may
be applied to
the Improve-
ment of the
Place.

public Cant, for such Estate or Interest as such County, County of a City or County of a Town, or any Person or Persons in Trust for them, shall have therein, and the Money arising from such Sale shall be paid to the County Treasurer for the Use of the County, County of a City or County of a Town; or it shall be lawful for the said Grand Jury to present the said old Gaol, Bridewell, House of Correction or other Prison, to be a Bridewell, Workhouse, House of Industry or House of Correction, or other Prison of any other Description for the said County; or if such Grand Jury shall see fit so to do, it shall be lawful for such Grand Jury to give, grant or convey gratuitously the Whole of the Ground or Soil of any such old Gaol, Bridewell or House of Correction, or any Part or Parts of the same respectively, for the Purpose of widening, opening or otherwise improving any Street, Way or Passage, or Streets, Ways or Passages, in any County or City, Borough or Town, or in any County of a City or County of a Town, within or adjoining which such old Gaol, Bridewell or House of Correction shall be situate; and if the Whole of such Ground or Soil shall not be necessary for such Improvement or Improvements, then to sell or dispose of the Residue thereof in manner hereinbefore provided.

Proceedings
where Land has
been given for
the Site of any
old Gaol, with-
out any regular
Conveyance, or
Conveyances
have been lost,
&c.

XLIX. And be it further enacted, That whenever it shall appear that Land has been given for the Site of any old Gaol, Bridewell, House of Correction or other Prison, without regular Conveyance of Title, or that the Deeds of Conveyance have been lost or destroyed, or that by the Decease of Trustees or Defect of Heirs of the surviving Trustee or from any other Cause, no Person exists or can be found competent or qualified to convey the legal Title of and in such old Gaol, Bridewell, House of Correction or other Prison, to any Purchaser, then and in such Case, if the Gaol or Premises to be sold as aforesaid, have been used as a Gaol for the Term of Seven Years or more, the Commissioners appointed according to this Act for the Purchase of a new Site for a Gaol, Bridewell, House of Correction or other Prison, or any other Commissioners, not being less than Six or more than Twelve in Number, whom the Grand Jury shall at any Assizes or Presenting Term appoint for such Purpose, shall be deemed and are hereby constituted legal Owners of the old Gaol, Bridewell, House of Correction or other Prison, in Fee or Fee Tail, or for such Term or Time as the same was originally granted for, and if no such Grant is known to have existed, then in Fee Simple, upon Trust however to contract with a Purchaser and sell the same, and execute all Deeds and Conveyances necessary for that Purpose, and give a sufficient Receipt for the Purchase Money: Provided always, that such old Gaol, Bridewell, House of Correction or other Prison shall be sold to the best Bidder, after having been advertised for that Purpose in the *Dublin Gazette* and in some other Newspaper printed within or near to such County, County of a City or County of a Town, for Three Months at the least before the Terms of Sale shall be accepted; which Advertisement the Treasurer of the County, County of a City or County of a Town, shall cause to be inserted and paid for, and for which he shall be repaid with lawful Interest, together with all Costs and Charges, out of the first Monies produced by such Sale; and after deduct-

deducting such Money and also the Expence attending the Sale, the Money produced thereby shall be paid to the Treasurer of the County, to be placed to the Credit thereof.

L. And be further enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, upon Application from the Grand Juries of any Two or more Counties, Counties of Cities or Counties of Towns in *Ireland*, to order and direct that such Counties, Counties of Cities and Counties of Towns, may unite in the building or providing of One Common Gaol, Bridewell, House of Correction or other Prison, for such Two or more Counties, Counties of Cities or Counties of Towns; and in any such Case the Gaols, Bridewells, Houses of Correction or other Prisons of such Two or more Counties, Counties of Cities or Counties of Towns, shall be deemed to be united and joined.

Two or more Counties may unite in Building any Gaol, on Application to Lord Lieutenant.

LI. And be it further enacted, That when the Gaols, Bridewells, Houses of Correction or other Prisons of Two or more Counties, Counties of Cities or Counties of Towns, shall have been united and joined, it shall and may be lawful to and for the Grand Juries of the said Counties, Counties of Cities or Counties of Towns, or either of them, to present such Sums as they shall think fit for the building a new Gaol or Gaols, Bridewells, Houses of Correction or other Prisons for the said Counties, Counties of Cities or Counties of Towns respectively, or for either of them, either together or separate, as the said Grand Juries respectively shall think proper, in the same Manner in all respects, and the respective Parts thereof shall be subject to all the same Rules, Conditions and Consequences as if the same were separate.

Gaols of Two or more Counties united may be presented for either together or separately.

LII. And be it further enacted, That whenever an Order shall be issued in manner aforesaid to the Board of Works for the building or enlarging of the Marshalsea of the Four Courts, or any Penitentiary House or Houses as aforesaid, it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, by Warrant under Hand and Seal, to appoint any Number of Persons, not less than Six nor more than Twelve, to be Commissioners for the Purpose of directing and superintending such Work; and to fill up from time to time, in like Manner, all Vacancies that shall occur amongst the said Commissioners by Death, Resignation or otherwise; and that the said Commissioners so appointed shall have all and every the like Powers in all respects as to making Purchases, impannelling Juries, pronouncing Judgments and all and every other the Matters and Things aforesaid, and all Things done by them, or any other Person or Persons, in pursuance of or under and in obedience to their said Powers, shall be of the like Force, Validity and Effect in all respects whatsoever as concerning the Commissioners appointed by the said Grand Juries, or any Proceedings by or before them, is hereinbefore enacted.

Lord Lieutenant to appoint Commissioners to superintend Works of the Four Courts, Marshalsea, and Penitentiary Houses.

Powers of Commissioners.

LIII. And be it further enacted, That it shall and may be lawful to and for the Court of King's Bench in Term Time, and to and for any Judge of the said Court in Vacation, either on the finishing of a new Marshalsea of the Four Courts or on occasion of or for the Purpose of repairing such Prison, or on occasion of any infectious Disorder or sudden Accident, or on or for any other Reason,

Judges of King's Bench may order Removal of Prisoners in Marshalsea Courts.

Reason, Purpose or Occasion which such Court or Judge shall deem to be sufficient, to order that the Prisoners in such Marshalsea or any One or more of them shall be removed to any other Prison specified in such Order, there to remain until discharged by due Course of Law, or until removed therefrom by another Order of the like Nature or remanded to the said Marshalsea; and any such Removal shall not be deemed to be an Escape.

Lord Lieutenant to appoint Two Inspectors General of Prisons.

LIV. And be it further enacted, That it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being to nominate and appoint Two fit and proper Persons to be Inspectors General of Prisons in *Ireland*, removable at the Will and Pleasure of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being; and such Two Persons shall perform all the Duties prescribed for the Inspectors General of Prisons, as directed by this Act.

Counties to be apportioned into Two Circuits, the Prisons of which shall be visited yearly by an Inspector General.

LV. And be it further enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to apportion the several Counties, Counties of Cities and Counties of Towns in *Ireland* into Two Circuits, for the Purposes of this Act; and each of the said Inspectors General shall, Once at least in every Year, go round One of the said Circuits and visit and inspect every Gaol, Bridewell, House of Correction, Penitentiary or other Prison, and every Madhouse and Place where Lunatics or Idiots are confined, whether the same be a public Establishment or kept for Profit by any private Individual, in or within such Circuit, and shall report upon the State thereof to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* within such One of the said Circuits respectively, and shall go round the said Circuits alternately in each succeeding Year; so that every Gaol, Bridewell, House of Correction, Penitentiary, Madhouse and other Prison and Place as aforesaid shall be visited and reported upon by each of the said Inspectors General Once in every Two Years at the least; which Report shall be transmitted to the Chief Secretary of the Lord Lieutenant in *Dublin* prior to the First Day of *February* in each Year, and shall be laid before both Houses of Parliament, and which Reports shall contain a general Statement of the Progress of Prison Discipline in each District, as well as a special Report upon the State of each Gaol, with a List of all Prisons of every Class.

Reports of Inspectors General shall be laid before the Grand Juries at the ensuing Assizes.

LVI. And be it further enacted, That after such Visits respectively each of the said Inspectors General shall deliver to the Secretary to the Grand Jury of each County, County of a City or County of a Town a Copy of his Report as to the several Prisons therein respectively, in order that the same may by them be laid before the Grand Juries of the Counties, Counties of Cities and Counties of Towns to which such Reports shall relate at the next ensuing Assizes or Presenting Term; and every such Report shall contain an Account of each and every Gaol, Bridewell, House of Correction or other Prison, and of every Madhouse and Place where Idiots or Lunatics are confined, within the said Counties, Counties of Cities and Counties of Towns respectively; and it shall and may be lawful to and for the Collectors of Excise of the District in which the Places for holding the Assizes of such Counties, Counties

Allowance for the Report.

Counties of Cities or Counties of Towns as aforesaid may be situated, to pay, and the said Collector of Excise is hereby required to pay to the Inspector General for the Year, upon his making such Report, a Sum of Twenty Pounds, which Sum shall be repaid to the said Collector of Excise by Presentment at the next ensuing Assizes, and the Grand Jury are hereby required to present the same accordingly.

LVII. And be it further enacted, That on or within Ten Days after the First Day of *January* in each and every Year, the Gaoler or Keeper of every Gaol, Prison, Bridewell or House of Correction, or other County Prison in *Ireland*, shall make up a Return of the State of such Gaol, Bridewell, House of Correction or other County Prison under his Charge, for the Year preceding such First Day of *January*, in the Form contained in the Schedule marked (E) to this Act annexed, and shall transmit the same, or cause the same to be transmitted, to One of the Inspectors General, on or before the Twentieth Day of the said Month of *January*, to be by such Inspector General certified and transmitted, together with his Annual Report, and such Observations as he may judge necessary, to the Office of the Chief Secretary of the Lord Lieutenant in *Dublin*.

Gaolers shall transmit Returns of the State of the Gaols yearly, in the Form in Schedule (E).

LVIII. And be it further enacted, That each of the said Inspectors General shall receive such Salary as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall appoint, not exceeding to each the Sum of Nine hundred Pounds in the Year, which Salary shall be payable in Quarterly Payments out of the Consolidated Fund of the United Kingdom.

Salary to Inspectors.

LIX. And be it further enacted, That it shall and may be lawful for the said Inspectors General, or either of them, from time to time, whenever and so often as they shall see fit, to visit any Gaol, Bridewell, Madhouse, Marshalsea or other Prison in *Ireland*, and to examine concerning the due Performance of the Rules and Regulations prescribed and required to be observed therein respectively, and also concerning all Matters connected with the Expenditure, Discipline or Regularity thereof respectively, and to examine on Oath all Persons concerned therein, or holding any Office or Emolument therein, and also all other Persons whom they shall think proper so to examine touching any Matters concerning any such Gaol, Bridewell or other Prison; and it shall and may be lawful for either of the said Inspectors General, and they are hereby severally empowered and required to report thereupon to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or to the Court of King's Bench, or Judges of Assize, whenever they shall see Occasion so to do.

Inspector General to inquire into the Discipline of Prisons, and report to Lord Lieutenant, &c.

LX. And be it further enacted, That if any Inspector General of Prisons in *Ireland* shall, in any Report or Return required to be made by him, knowingly state any Thing false, he shall be thenceforth incapable to hold the said Office, and shall lose and forfeit the same.

Inspector General making false Returns. Punishment.

LXI. And be it further enacted, That the said Inspectors General of Prisons shall have Power, and they are hereby required to visit and inspect, as often as they shall think fit, all Madhouses and Places where Idiots or Lunatics are confined, whether the same shall be any public Establishment or kept for Profit by any private Individual,

Obstructing Inspectors in visiting Madhouses, &c.

Penalty. Individual, as well as all Gaols and Prisons throughout *Ireland*; and if any Person or Persons shall hinder, molest or prevent any such Inspector General from visiting and inspecting any of the said Places of Confinement, such Person or Persons being duly convicted thereof before any Two Magistrates or Justices of the Peace in the County, County of a City or County of a Town where such Hindrance shall have been made, shall for every such Offence be fined in any Sum not exceeding Twenty Pounds, at the Discretion of such Magistrates, and so *toties quoties* for every new Hindrance after such Conviction; and upon Nonpayment of the same, such Person so convicted shall, by the Warrant of such Magistrates, be imprisoned in the Common Gaol of the County, County of a City or County of a Town, for Six Calendar Months, unless such Fine be sooner paid.

Imprisonment. LXII. And be it further enacted, That in every Gaol, House of Correction, Marshalsea, Bridewell, Sheriffs Prison and other Prison throughout *Ireland*, a Book shall be kept, and constantly remain therein, in order that any Member of the Board of Superintendence appointed under this Act, and also the Local Inspector thereof, or either of the said Inspectors General, shall and may from time to time make and enter therein such Observations as they shall respectively think fit; and every Inspector, Chaplain, Surgeon, Physician, Apothecary or other Officer, attending on or required to attend on such Prison, shall in his Turn insert in such Book, in his own Handwriting, his Name, and the Date of such Visit and Duty performed; and every Keeper of every such Prison shall be responsible for the safe Custody of such Book, and shall at all Times, when required so to do, produce the same for Inspection to the Grand Jury or Board of Superintendence, or any Member thereof respectively, without Fee or Reward.

Book to be kept in each Prison in which any of the Board of Superintendence and Inspector, &c. shall enter Observations.

Inspection without Fee.

Taking any Fee for Appointment of Gaolers, &c. LXIII. And be it further enacted, That no Person or Persons, Body or Bodies Corporate or Politic, shall by themselves, or any other Person in Trust for them, give, take or receive, or offer to give, take or receive any Fee, Money or Gratuity, or other valuable or beneficial Consideration whatsoever, or any Promise thereof, for or in respect of the Appointment, Nomination or Recommendation of any Person or Persons whatsoever, to be Keeper of any Prison in *Ireland*, or to hold any Office under such Keeper, or knowingly appoint, or cause to be appointed, any Person or Persons to such Office, for or in respect of any Fee, Money, Gratuity or other valuable Consideration whatever, given or promised to any Person or Persons whatsoever, for or in respect of such Appointment, or to the obtaining of such Office; and each and every Person so offending shall forfeit the Sum or Penalty of Five hundred Pounds, together with Double the Sum so given as aforesaid; one Moiety of such Forfeiture to be paid to the King, and the other Moiety to the Informer who shall by Bill, Complaint or Information, in any of His Majesty's superior Courts of Record in *Dublin*, first sue for the same.

Penalty.

Grand Juries to appoint or alter the Salaries to Gaolers.

LXIV. And be it further enacted, That the several Grand Juries at the Presenting Terms in the County of *Dublin* and County of the City of *Dublin*, and at the Assizes in all other Counties, Counties of Cities and Counties of Towns in *Ireland*, are hereby empowered and authorized to appoint such Salaries and Allowances to

to the several Keepers of Gaols in their respective Counties, Counties of Cities and Counties of Towns, and to their Turnkeys or other Assistants, as they shall think proper, and to alter the same from time to time as they shall see Occasion, and to direct such Salaries and Allowances to be paid by the Treasurer of such Counties, Counties of Cities and Counties of Towns respectively, under the Direction of the Board of Superintendence appointed under this Act; all such Salaries and Allowances to be raised by Presentment on the said Counties, Counties of Cities and Counties of Towns respectively: Provided always, that no Keeper of a Prison, or his Turnkeys or Assistants, shall be entitled to receive such Salary or Allowance, unless he shall prove to the Satisfaction of the Grand Jury that he hath complied with all and every of the Rules and Regulations which shall from time to time be provided by or under this or any other Act or Acts of Parliament, or by any lawful Authority whatsoever, for the Regulation of such Prison or for the Conduct of the Keepers thereof.

Salaries, &c.
raised by Pre-
sentment.

LXV. And be it further enacted, That it shall and may be lawful for each and every Grand Jury of every County, County of a City and County of a Town in *Ireland*, with the Consent and Approbation of the Court or Judge at each Assizes and Presenting Term, from time to time to appoint a Local Inspector for such County, County of a City or County of a Town respectively, (such Inspector to be removable by the Grand Jury of such County, County of a City or County of a Town for the Time being, with the Approbation of the next going Judge of Assize,) to regulate, under the Direction of the Board of Superintendence appointed under this Act, and in the City of *Dublin* under the Direction of the Grand Jury, the procuring and providing of Food and Necessaries for the Prisoners in the Gaol; and every such Inspector shall be required to observe the several Prison Regulations hereinafter contained, as likewise all other Prison Regulations appointed by any competent Authority under this Act, affecting such County, County of a City or County of a Town, or any One or more Prison or Prisons therein, and to see the same carried into effect.

Local Inspectors to be appointed by Grand Juries.

LXVI. And be it further enacted, That it shall and may be lawful for all Grand Juries in *Ireland*, at any Assizes or Presenting Term respectively after such Appointment, to present a reasonable Sum to be paid to every such Local Inspector appointed as aforesaid, as a Recompence for the Care and Attendance necessary in the Execution of the several Duties of such Offices respectively, which Local Inspector shall reside within a reasonable Distance of the County Gaol of his County, County of a City or County of a Town.

Grand Juries to present a reasonable Salary for such Inspectors.

LXVII. And be it further enacted, That it shall and may be lawful for the Clerk of the Crown, and he is hereby required, at each Assizes and General Gaol Delivery in every County, County of a City and County of a Town in *Ireland*, and at every Special Commission of Oyer and Terminer and Gaol Delivery therein, and at every Term or Session of the Commission of Oyer and Terminer and Gaol Delivery for the County of *Dublin* or for the County of the City of *Dublin*, and the Clerk of the Peace is also hereby required at Quarter Sessions to furnish the Inspector of Prisons for the Time being of every such County, County of a City and County of

Clerk of the Crown to make Return of Prisoners to the Inspectors.

of a Town, with a complete Schedule of the several Prisoners brought to Trial at such Assizes and General Gaol Delivery, and at such Special Commission, and at each and every Term or Session of the Commission of the County of *Dublin*, or the County of the City of *Dublin* respectively, and at each and every Quarter Session, specifying the particular Crime of which each Prisoner was accused, and stating the Sentence of the Judge on each Trial, and whether the said several Sentences have been executed respectively, or whether the Whole or any and what Part or Parts of them have been remitted; and the several Inspectors of Prisons are hereby required, according to a Form to be furnished to them by the Inspectors General of Prisons annually, to make a general Statement from such Returns for the whole Year, and to transmit the same to the said Inspector General of Prisons, within Ten Days after the First Day of *January* in each Year, transmitting with such annual Statement the original Returns from which it has been made.

Annual Return to be made by Inspectors.

Appointment of Chaplains to County Gaols.

LXVIII. And be it further enacted, That it shall and may be lawful for each and every Grand Jury in *Ireland*, and they are hereby required at any Assizes or Presenting Term, to appoint a proper and discreet Person, being duly ordained in Holy Orders and of the Established Church, to be Chaplain of the several Gaols of and in their respective Counties, Counties of Cities and Counties of Towns; and it shall and may be lawful for every such Grand Jury, if they shall be so required by the Court, also to appoint a proper and discreet Person, being a Protestant dissenting Minister, to be Protestant dissenting Chaplain thereof; and also if they shall be so required by the Court, to appoint a Priest or Clergyman of the Roman Catholic Church, to be Roman Catholic Chaplain thereof: Provided always, that every Person so appointed shall be approved of by the Court, and that where there is only one Gaol of such County, County of a City or County of a Town, in the Appointment of such Chaplain Preference shall be given to some Clergyman of the Established Church officiating within the Parish in which the Gaol shall be situated, if duly qualified; and in like manner to some Protestant dissenting Minister, and some Clergyman of the Roman Catholic Church, if duly qualified, acting as such within the said Parish.

Proviso for approval by the Court.

Duty of Chaplains.

LXIX. And be it further enacted, That every such Chaplain shall read Prayers in the said Gaol for which he shall be appointed on every *Sunday* in the Year; to wit, the Protestant Chaplain of the Established Church to such of the Prisoners as shall be Protestants of the Established Church, and the Protestant dissenting Minister to such of the Prisoners who shall be Protestant Dissenters, and the Roman Catholic Chaplain to such of the Prisoners as shall be Roman Catholics; and that every such Chaplain shall likewise visit each of the said Prisons Twice at least in every Week, exclusive of his Attendance on *Sunday*; that on such Visits he shall go into every Room and Cell in the Prison wherein any Prisoner so within his Charge shall be confined, and converse with and exhort such of the said Prisoners respectively as are willing to listen to his Admonitions; and that each of the said Chaplains shall attend every Malefactor in their respective Prisons who shall be within his Charge as aforesaid, or who may desire his Assistance, previous to and down to the Time of his Execution, in order to administer

to such Prisoner or Prisoners the Functions of his holy Office ; and that every such Chaplain shall by alternate Weeks, on the Days appointed for the Delivery of Provisions or serving the same to the Prisoners, inspect in his Turn the Bread or other Provisions provided for any Prisoner of whatsoever Religion, and take care that the same are of good and wholesome Quality, and of sufficient Weight ; and every such Chaplain shall keep a Journal in which he shall enter the Time of his Attendance on the Performance of his Duty, with any Observations which may occur to him in the Execution thereof, to be produced when required to the Board of Superintendence.

LXX. And be it further enacted, That it shall and may be lawful for the Grand Jury, at the Spring Assizes and *Easter Term* in every Year after such Appointment, to present a reasonable Sum, not exceeding the Sum of One hundred Pounds and not being less than Fifty Pounds in the County and County of the City of *Dublin*, and not exceeding Fifty Pounds nor being less than Thirty Pounds within any other County or County of a City or County of a Town in *Ireland*, for every such Chaplain, as a Remuneration for his Services aforesaid ; provided it shall fully appear to the said Grand Juries respectively, and to the Court or Judge, that such Chaplains duly and regularly executed the several Duties of their said Offices respectively ; and that the Sums presented for all the Chaplains aforesaid in one Prison or District shall be of the same Amount, unless the Share or any Part of the Share of either, shall at any Time be withheld by reason of any Misconduct or Neglect of Duty.

Salaries to
Chaplains.

LXXI. Provided always, and be it enacted, That in any Case where it shall happen that there shall be more than Two Gaols of and within any County, County of a City or County of a Town, it shall be lawful for the Grand Jury of such County, County of a City or County of a Town, on the Direction of the Court, to appoint more than One Chaplain for the same : Provided always, that the whole Sum to be given as a Salary or Salaries to any Number of Chaplains shall not exceed the Amount of Salary authorized to be paid to any One Chaplain as aforesaid ; and that a Preference shall be given in the Appointment of such Chaplains to the Clergy ordinarily officiating in the several Parishes within which such Gaols may be respectively situated, if properly qualified.

Where there
are more than
Two Gaols in
any County,
&c. more than
One Chaplain
may be ap-
pointed.

LXXII. And be it further enacted, That the Grand Jury of every County, County of a City or County of a Town, shall and they are hereby required from time to time to appoint a Surgeon, being a Member of one of the Royal Colleges of Surgeons, or a Physician, being a Member or Licentiate of One of the Royal Colleges of Physicians, to the Prisons within their Jurisdiction ; and every such Surgeon or Physician, as the Case may be, shall and is hereby required to visit every Prison to which he shall be so appointed, Twice at least in every Week, and oftener if necessary, and to see every sick Person confined therein, whether Criminal or Debtor, and to examine the Condition of the Hospital and the State of Health of the Prisoners under his Care ; and he shall further keep a Journal, in which he shall enter the Date of every Attendance on the Performance of his Duty, with any Observations that may occur to him in the Execution thereof, and shall sign the same with

Appointment
of Surgeon.

Journal to be
kept by him.

Salary.

In Dublin, a Physician may be appointed.

Salary.

Appointment of Apothecary.

How Medicines and other Articles for the Sick furnished and paid for.

Salary.

with his Name ; and such Journal shall be kept in the Prison, and shall regularly be laid before the Board of Superintendence at their Meetings, and before the Grand Jury at every Assize and Presenting Term ; and it shall and may be lawful for the Grand Jury, at every Assizes or Presenting Term after such Appointment, to present a Salary to such Surgeon or Physician ; and such Surgeon or Physician shall be required at every Visit to prescribe for all Prisoners who stand in need thereof, and shall order such Sustenance and other Articles as may be necessary ; which Sustenance and other Articles shall be provided by the Local Inspector, or in such other Manner as the Grand Jury or Board of Superintendence appointed under this Act shall direct and appoint : Provided nevertheless, that nothing herein contained shall prevent the Continuance in Office of any Medical Attendant appointed before the passing of this Act, or of any Physician appointed jointly with a Surgeon before the passing of this Act : Provided always, that it shall and may be lawful for the Grand Jury of the County of the City of *Dublin*, in which more extensive Medical Attendance has been found to be necessary, to appoint, with the Approbation of the Court, a regularly bred Physician in addition to a Surgeon ; and such Physician shall, together with such Surgeon, discharge the Duties herein required of any Surgeon or Physician to be appointed under this Act ; and it shall and may be lawful for the Grand Jury aforesaid, at every Presenting Term after such Appointment, to present a reasonable Sum to be paid as a Salary to such Physician.

LXXIII. And be it further enacted, That it shall and may be lawful for each and every Grand Jury respectively as aforesaid, and they are hereby required, to appoint an Apothecary, and it shall be the Duty of every such Apothecary to execute every Order of such Surgeon or Physician.

LXXIV. And be it further enacted, That each and every of the said Apothecaries shall, if required, provide all Medicines and other Articles necessary for the Sick, and shall keep an Account, stating fully and particularly the different Articles supplied ; and it shall and may be lawful for the Grand Jury at each Assizes and Presenting Term, to present a reasonable Sum to be paid to such Apothecary, for and on account of the Medicines so furnished, at a Price not exceeding the Rates authorized by the Governor and Directors of the Apothecaries Hall in *Dublin* : Provided always, that the Grand Jury or Board of Superintendence shall be empowered, in Cases in which it shall seem expedient so to do, to procure Medicines and Drugs from Apothecaries Hall in *Dublin* ; and it shall and may be lawful for the Grand Jury to present a reasonable Salary to such Apothecary, as a Compensation for his Attendance and Trouble in providing or preparing Medicines for the Sick : Provided also, that the Salaries presented for such Surgeon or Physician and Apothecary shall not exceed the Sum to which the Total Amount of Salaries to the Medical Officers of the Gaol are or may be limited by Law ; and provided that no Apothecary who shall be appointed at any Time after the passing of this Act, who shall provide such Medicines as aforesaid on his own Account, shall in any Case act as Surgeon or Physician to any Gaol.

LXXV. Pro-

LXXV. Provided always, and be it enacted, That if any of the said Offices of Inspector, Chaplain, Surgeon, Physician or Apothecary, on the Appointment of the Grand Jury, shall become vacant between Two Assizes or Presenting Terms respectively, then and in every such Case it shall and may be lawful for the Board of Superintendence appointed under this Act (or for the Sheriff of the County of the City of *Dublin* there) to appoint a new Officer to fill such Vacancy respectively; and such new Officer so appointed shall hold and exercise the said Office until a new Appointment shall be made thereto as aforesaid, as fully and effectually in all respects, and with all the same Rights, Powers and Advantages as if he had been duly appointed thereto as aforesaid; and that no Officer shall hold any Two Offices in any Gaol or other Prison, save and except that the same Person may be appointed to the Office of Local Inspector and Chaplain: And provided that nothing in this Act shall be construed to prevent any Officer holding Two Offices at the Time of the passing of this Act from continuing to hold the same.

For supply of Vacancies of Local Inspectors, Chaplains, Surgeon and Apothecary.

LXXVI. And be it further enacted, That it shall and may be lawful for the several Grand Juries, and they are hereby required, at every Assizes and Presenting Term, to present such Sum and Sums of Money as may be requisite for the Purpose of providing Food, Fuel, Prison Dresses, Iron Bedsteads, Bed Tickens, Straw, Blankets and Bed Clothes, for all Prisoners who shall be confined in any Gaol, Bridewell, House of Correction or other County Prison of their respective Counties, Counties of Cities and Counties of Towns, and shall stand in need of such Assistance, as likewise suitable Furniture for the Day Rooms, and other necessary petty Expences of the same, and Utensils for cleaning the Gaol: And that the several Sums before mentioned to be presented for the Purposes of providing Food, Fuel, Prison Dresses, Iron Bedsteads, Bed Tickens and Blankets, Bed Clothes and Straw for Prisoners, Furniture and Utensils as aforesaid, shall be paid into the Hands of any Person or Persons (not being a Grand Juror or Member of the Board of Superintendence, nor being an Inspector, Chaplain, Physician, Surgeon or Apothecary under this Act, nor being the Keeper of any Prison), who shall or may have contracted with any Grand Jury, Board of Superintendence, or any Inspector or other Person appointed by them, in any such Gaol, Bridewell, House of Correction or other Prison, for the Supply of such Food, Fuel and other Matters respectively, or who may have supplied the same.

Presentments for Fuel, Prison Dresses, Beds, &c.

Monies presented for such Purposes to be paid to Contractors.

LXXVII. And be it further enacted, That the Money required for the Payment of any Person or Persons who shall supply or shall contract to supply any such Food or other Necessaries, Articles, Matters or Things respectively, for the Use of such poor Prisoners, shall be raised and levied in every County, County of a City or County of a Town throughout *Ireland*, by Presentment of the Grand Jury.

Expences of poor Prisoners to be raised by Presentment.

LXXVIII. And be it further enacted, That the Bedding to be allowed to poor Prisoners shall consist of One Ticken for Straw and Three single Blankets to each Bed; and that the Prison Dresses shall consist of a Cap, a Jacket, One Shirt, Waistcoat,

Bedding and Prison Dresses.

Trowsers, and Shoes to Men; and a suitable Dress to Female Prisoners, with Shoes.

Contractors,
&c. to account
on Oath.

LXXIX. And be it further enacted, That all and every Sum and Sums of Money which shall be presented by any Grand Jury, in Payment of any Contract, shall be accounted for on Oath, in open Court, by the Persons making such Contract.

Contracts for
Food, &c. to
be made with
Clerk of the
Peace.

LXXX. And be it further enacted, That all Contracts for Supply of Food or other Necessaries for the Use of the Gaol, when approved of by the proper Authority, shall be entered into by such Contractors with the Clerk of the Peace in the several Counties, Counties of Cities and Counties of Towns respectively; and that it shall and may be lawful for any such Clerk of the Peace, under the Direction of the Grand Jury, to sue for a Breach of any such Contract.

Grand Jurors,
Inspectors, &c.
being concerned in Con-
tracts.

LXXXI. And be it further enacted, That if any Grand Juror or any Member of any such Board of Superintendence as aforesaid, or any Inspector, Chaplain, Physician, Surgeon or Apothecary, or any Keeper of any Gaol, Bridewell, House of Correction, or other Prison, shall contract to provide or supply any such Bread, Meal, Potatoes or other Food, or any Straw, Fuel, Prison Dresses, Bedsteads, Bed Tickens, Blankets, Bed Clothes or other Necessaries for Prisoners under his Inspection or Charge, contrary to the Provisions of this Act, or shall supply the same otherwise than in the Performance of his Duty under this Act; or shall directly or indirectly derive or receive any Profit or Emolument whatever from any Bread, Meal, Potatoes or other Food, or any Straw, Fuel, Prison Dresses, Bedsteads, Bed Tickens, Blankets, Bed Clothes or other Necessaries provided for such Prisoners, which shall be supplied for the Purposes of this Act, every Person so offending shall for every such Offence forfeit the Sum of Five hundred Pounds, to be recovered by any Person who shall sue for the same, by any Action, Suit, Bill or Plaint, in any of His Majesty's superior Courts of Record in *Dublin*, wherein no Essoign Protection or Wager of Law, shall be allowed, nor any more than One Imparlance.

Penalty.

Poor Prisoners
shall be supplied with
Food and Necessaries at the
public Expence
only.

LXXXII. And be it further enacted, That any Prisoner, of whatever Description, in any Prison whatsoever in *Ireland*, who shall not be of sufficient Ability to procure Food and other Necessaries, shall be supplied, in manner hereinmentioned respectively, with such Food and Necessaries at the public Expence; and every such Prisoner, as long as he shall be so supplied, shall be deemed and taken to be a poor Prisoner within the Meaning of this Act, and shall be subject as such to all Rules and Regulations herein-after provided in that Behalf; and it shall not be lawful for any such Prisoner who shall be so supplied at the public Expence to accept or receive any Food or Liquor, other than such as shall be supplied under this Act; and if any such Prisoner shall accept any Food or Liquor contrary to this Act, such Prisoner shall no longer be supplied at the public Expence, and shall thereupon cease to be deemed and taken to be a poor Prisoner within the Meaning of this Act.

Accepting other
Food, &c.

Punishment.

Court may
order Creditors
to pay

LXXXIII. Provided always, and be it enacted, That in all Cases where any Prisoner shall be confined or detained in any Prison at the Suit of any Creditor or Creditors, for any Debt less than the Sum

Sum of Ten Pounds, it shall be lawful for the Court under Process from which such Debtor shall be detained, on the Application of such Debtor, in case such Court shall think right under the Circumstances of the Case so to do, to order the Creditor or Creditors, at whose Suit such Debtor shall be confined or imprisoned, to pay to such Debtor such Sum or Sums, not exceeding the Rate of Two Shillings and Sixpence by the Week in the whole, at such Times and in such manner as the said Court shall direct; and that on Failure of Payment thereof as directed by such Court, such Debtor shall forthwith be discharged from Custody at the Suit of the Creditor or Creditors failing to pay the same.

2s. 6d. per Week to Persons in Prison for less than 10^l. On Failure, Debtor to be discharged.

LXXXIV. And be it further enacted, That either of the Inspectors General of Prisons to be appointed under this Act shall make out a regular Dietary Table for each Gaol, Bridewell, House of Correction or other County Prison in *Ireland*, setting forth the Quantities and Description of Food for each and every Day during the Week, to be allowed *per* Head to all poor Persons therein; which Dietary Table, so prepared for each Prison respectively, shall be submitted to the Judges of His Majesty's Court of King's Bench in *Dublin*, in order that such Table may be approved, or may be altered or amended, as such Judges shall think fit; and every such Dietary Table, when approved of by such Judges, shall be adopted and strictly adhered to in such Prisons, until a new Dietary Table shall be appointed; and a Copy of every such Dietary Table shall be placed by the Local Inspector of each Prison in some conspicuous Part of the Common Hall in every such Prison within his Inspection; and according to such Table Provisions shall be procured for and distributed to all poor Persons in such Prisons respectively.

Inspectors General shall prepare Dietary Table for poor Prisoners, to be approved by Judges of K. B. and hung up in Hall of Prison.

LXXXV. And be it further enacted, That it shall and may be lawful for either of the Inspectors General of Prisons to alter or vary such Dietary Table from time to time for the Prisons in general, or any particular Prison, subject to the Approbation of the said Judges of His Majesty's Court of King's Bench in *Dublin*, and thereupon such Table when so altered and approved shall be forthwith copied out by the said Local Inspector, and set up in the Place of any former Dietary Table, to be in every respect pursued and abided by until such Table shall be again duly altered as aforesaid.

Dietary Table may be altered.

LXXXVI. And Whereas it will be advantageous to Prisoners that a regulated System of Accounts of Provisions, and fixed Proportions of Fuel and other Allowances, should be established; Be it therefore enacted, That a Book shall be kept in the Gaol of every County, County of a City or County of a Town in *Ireland*, according to the Form in the Schedule marked (A) to this Act annexed, or in some Form to be approved of by the Judges of His Majesty's Court of King's Bench in *Dublin*, and shall contain an accurate daily Account of the Number of Persons confined within the Gaol, together with an Account of the several Articles of Food, Fuel or other Allowances issued to each Class within the Prison during the Day; and such Book shall be compared with the Pass Books of each Contractor respectively, prior to any Payments made to any such Contractor, and shall be closed prior to every Assizes, in order that the Accounts may be examined by

Accounts of Provisions, and other Allowances, to be kept in Form required by Schedule (A).

the Grand Jury of such County, County of a City or County of a Town, in order to ascertain that the Articles are issued in due Proportions, as by Law established; and such Grand Jury shall thereupon make Presentment of a sufficient Sum for the Payment of the Amount.

‘ LXXXVII. And Whereas it appears that in many Gaols the ‘ poor Prisoners are not supplied with Prison Dresses, Bedding ‘ and other Necessaries, and that no Limit is assigned to each ‘ Gaol, in respect to the Number of such Articles to be supplied ‘ in such Gaols respectively;’ Be it therefore enacted, That it shall and may be lawful for either of the Inspectors General of Prisons to be appointed under this Act, with the Approbation of the Judges of His Majesty’s Court of King’s Bench in *Dublin*, or any One or more of them, to regulate and determine the Establishment at which such Gaol, Bridewell or other Prison shall be rated in respect to its Complement of Prisoners; and that it shall and may be lawful for any of the said Inspectors General of Prisons, at his or their annual Inspection of each Prison, to ascertain the Deficiencies of the said Prison Dresses, Beds, Bedding and other Articles, and to order a Supply of the same, and that the said Articles shall be preserved in the Stores of the Prison, to be issued to such Prisoners as shall be entitled thereto; and it shall and may be lawful for the Local Inspector or any other Officer of such Prison, by order of the Inspector General, or of either of them, to present to the Collector of Excise of the District in which such Prison is situate an Account of the Expence incurred by such Supplies of Deficiencies, certified by One of the Inspectors General of Prisons, according to the Forms in the Schedules marked (B) and (C), annexed to this Act, or in any similar Forms respectively approved by the Judges of His Majesty’s Court of King’s Bench in *Dublin*; and such Collector of Excise is hereby required to administer an Oath to such Local Inspector, or other Gaol Officer, of the Accuracy of such Account; and such Collector of Excise shall thereupon pay to the said Local Inspector or other Officer the Amount of such Account out of any Public Monies in the Hands of such Collector of Excise; and the Grand Jury of such County, County of a City or County of a Town, shall and are hereby required to make Presentment to the said Collector of Excise of the Amount of such Payments at the next succeeding Assizes.

Inspectors General to regulate the Establishment of each Gaol; and order the Supply of Dresses, Beds, &c.

Accounts of Expences to be presented to Collector of Excise, who shall pay the same.

Grand Juries may appoint Matrons, &c. for Gaols, to be paid by Presentment.

Grand Juries to set apart Houses of Correction in Pri-

LXXXVIII. And be it further enacted, That it shall and may be lawful to and for every Grand Jury in *Ireland*, at any Assizes or Presenting Term respectively, and they are hereby required to appoint a Matron, and such inferior Female Attendant or Attendants as they shall deem necessary, for any County Prison within their respective Counties; and every such Matron and Attendant shall be paid such Salary as shall from time to time be fixed or agreed on by the Grand Jury, with the Approbation of the Court for that Purpose; the same to be raised by Presentment on the County, County of a City, or County of a Town.

LXXXIX. And be it further enacted, That it shall and may be lawful to and for the Grand Jury of any County, County of a City or County of a Town in *Ireland*, if they shall see fit, by their Order to appoint and appropriate such Part or Parts of the Gaol thereof,

thereof, or such Building or Buildings contiguous or adjoining thereto, as such Grand Jury shall think fit, to be a House or Houses of Correction for the Custody and Punishment of convicted Prisoners; and it shall and may be lawful for any Grand Jury in every such Case to appoint a Keeper or Governor of such House of Correction, with such Salary as to such Grand Jury shall seem meet; and every such Keeper or Governor of such House of Correction shall be subject and liable to, and shall obey and comply with all the Rules and Regulations prescribed for Gaolers: Provided always, that nothing in this Act contained shall be construed to extend to prevent the Governor or Keeper of the House of Correction in any County, County of a City or County of a Town, from being the Keeper or Governor of the Common Gaol: Provided also, that the Sheriff shall not be answerable for the safe Custody of any Person who, in pursuance of any such Order, shall from time to time be removed to, committed to or detained in any Part of such Gaol, or any united or contiguous Buildings so ascertained and declared to be the House of Correction as aforesaid.

sons, and appoint Keepers thereof.

Proviso for Sheriff.

XC. And Whereas many Bridewells now existing in various Parts of *Ireland* are unnecessary, and destitute of the Accommodation required, as well in the Construction as in the Management thereof; and some Bridewells of the largest Class are rendered useless by the immediate Transmission of all Prisoners to the County Gaols, often to the inconvenient crowding of the same, and many such Bridewells are unprovided with the Furniture and Supplies required for Prisoners according to Law; Be it therefore enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, from time to time, by Warrant to be published in the *Dublin Gazette*, to order that any Bridewells shall be discontinued, and shall no longer be used as a Bridewell or Prison; and that from and after such Day as shall be named in such Warrant in that respect, it shall not be lawful to imprison or confine any Person therein, under any Order or Authority, or on any Pretext whatsoever; any Law, Usage or Custom to the contrary notwithstanding.

Lord Lieutenant may discontinue Bridewells.

XCI. And be it further enacted, That it shall and may be lawful to and for each and every Grand Jury in *Ireland*, at the respective Assizes, and they are hereby respectively required to make Presentments for the building One Bridewell of competent Size in each and every Town within their respective Counties which shall be duly appointed for holding Quarter Sessions, and also in such other Town or Towns in the said Counties respectively as shall from time to time be appointed or directed for that Purpose by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, by Warrant under Hand and Seal.

Grand Jury to present for building Bridewells in Towns where Sessions are held.

XCII. And be it further enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being to direct that such Bridewells as shall be continued shall be divided into Two Classes; and that One Class of the said Bridewells to be selected and appointed by the Lord Lieutenant or other Chief Governor or Governors of

District Bridewells appointed.

Ireland shall be denominated District Bridewells, to each of which Bridewells a certain District within the County shall be allotted; and that all Prisoners committed within such District, either for Trial at or under Sentence passed by the Court of Quarter Sessions, shall be kept and remain in such District Bridewell, and shall not be transmitted to the County Gaol, unless some Order to that Effect shall be made by competent Authority; and it shall and may be lawful, in the Event of a crowded State of the County Gaol, on the Report of the Local Inspector thereof, for the Keeper of any such District Bridewell to detain therein any Prisoner committed for Trial at the Assizes for the County, until within a reasonable Time prior to the Assizes: Provided always, that in case of Imprisonment for a Period exceeding Four Months, or in any Case in which it shall appear to the Court to be necessary, it shall and may be lawful, by the Order and at the Discretion of the Court by whom Judgment shall be passed, to send any Prisoner to the County Gaol or House of Correction; and provided that no Persons committed for Debt shall be confined in any such Bridewell; and it shall and may be lawful for the Grand Jury of any County in which a District Bridewell is or shall be appointed to present any reasonable Sum for the medical and other necessary Expences attending the Support and Maintenance of the same.

‘XCIII. And Whereas many Bridewells are situate at so great a Distance from the Gaol of the County that it is impossible that any Benefit can be derived to any such Bridewells from the Inspectors and other Officers of such Gaols respectively;’ Be it enacted, That the officiating Clergyman of the Established Church of and in every Parish in *Ireland* in which there shall be a Bridewell, which shall be distant more than Three Miles from the Gaol of the County, shall be deemed and reputed to be, and is hereby made and declared to be the Inspector of such Bridewell; and it shall be lawful to and for such Clergyman to execute the Duty of directing and superintending according to Law the Supply of such Bridewell with Necessaries; and all poor Prisoners therein shall be supplied with such Necessaries, in the same Manner, under the same Regulations, and out of the same Funds as poor Prisoners in the County Gaol.

XCIV. And be it further enacted, That no Prisoner shall be detained in any Bridewell, except in District Bridewells selected as aforesaid, longer than Three Days from the Day of Committal, unless Two Justices of the Peace of the County, County of a City or County of a Town shall think proper, by Order in Writing, to direct that such Prisoner be longer detained for the Purposes of Examination, and then only for the Time mentioned in such Order, or any Renewal thereof; but that all such Persons shall be diligently transmitted to the County Gaol or District Bridewell, as the Case may be: Provided always, that if any such Bridewell shall be distant more than Twelve Miles from such County Gaol or District Bridewell, then any such Prisoner may, if the committing Magistrate shall so direct by Order under his Hand, be detained in such Bridewell until the First Week in the Calendar Month next after such Committal, but not longer, so that all the Prisoners committed in any One Calendar Month may be sent under One Escort.

‘XCV. And

Inspection of
Bridewells distant
more than
Three Miles
from County
Gaols.

Prisoners to be
sent from
Bridewells to
County Gaols
without Delay.

Detention
where Bridewell
is distant
more than
Twelve Miles.

‘ XCV. And Whereas in many Bridewells Persons have been detained and discharged without any regular Committal, and no sufficient Record has been hitherto kept of Committal or Discharge of Prisoners, and in many Bridewells no Allowance of Beds, Bedding, Food or Necessaries are provided;’ Be it therefore enacted, That a Return or Record shall be made and kept by the Keeper of every Bridewell in *Ireland*, not being a District Bridewell as aforesaid, in the Form in the Schedule to this Act annexed marked (D), or in any other Form approved of by the Judges of His Majesty’s Court of King’s Bench, or any One or more of them; One Copy of which Return of Record shall be preserved in such Bridewell, and Two Copies shall be transmitted for the Inspectors General of Prisons, to the Office of the Chief Secretary to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* in *Dublin Castle*, within Fourteen Days after the Thirteenth Day of *March*, the Thirteenth Day of *June*, the Thirteenth Day of *September* and the Thirteenth Day of *December* in each and every Year; and that One of the said Copies so transmitted for the Inspectors General of Prisons shall be returned by One of them to the Inspector or Keeper of such Bridewell, certified by such Inspectors General or One of them; and that such Copy so certified shall be produced by the Inspector or Keeper of such Bridewell to the Collector of Excise of the District in which such Bridewell shall be situated; and such Collector of Excise is hereby required to administer to such Inspector or Keeper an Oath to the Truth of such Account, and thereupon to pay to such Inspector or Keeper the Amount of the Expenditure so incurred and specified in such Account, together with such Allowances for Fire, Candles and Straw, not exceeding Thirty Shillings in any One Quarter of a Year, as shall be certified by such Inspectors General; and it shall be lawful for the Grand Jury of the County, and they are hereby required, on Production of such Account by such Collector of Excise, at the next ensuing Assizes, to make Presentment for the Amount of such Account to be paid to such Collector of Excise.

Returns from other Bridewells to be made in Form in Schedule (D).

Oath by Inspector as to Correctness of Account.

‘ XCVI. And Whereas there are in *Ireland* several Towns Corporate and other Places locally situate within some County, County of a City or County of a Town, such Towns Corporate and other Places having a Power of trying certain Offences and of committing to Prison Persons charged therewith or convicted thereof; and also having or claiming to have or enjoy and exercise, either by Grant or Prescription, the Right and Privilege of having Courts, holding Pleas and issuing Process against Defendants resident within such Jurisdictions respectively, and to hold such Defendants to Bail, and also to take and arrest Plaintiffs and Defendants so resident and so impleaded, in Execution, and to commit them to Prison: And Whereas much Inconvenience has arisen from the Insecurity and Insufficiency of the various small Prisons locally attached to and used by such inferior Courts; and it is very difficult, if not impossible, unless such local Prisons be abolished, to carry into effect any general System of Gaol Discipline, or to provide for the poor Prisoners confined therein a regular Supply of wholesome Food and other Necessaries;’ Be it therefore enacted, That from and after the

Prisons in local First Jurisdictions

abolished,
and Persons
arrested within
such Jurisdic-
tions shall be
imprisoned in
the County
Gaol.

Proviso.

Towns Cor-
porate having
a sufficient
Gaol, Lord
Lieutenant
may authorise
Continuance
thereof.

Proviso for
Dublin City
Marshalsea.

Prisoners may
be taken from
County Gaols
before Courts

First Day of *January* One thousand eight hundred and twenty seven, all such Prisons shall be and are hereby abolished ; and that all and every Person and Persons, who at any Time after the said First Day of *January* One thousand eight hundred and twenty seven shall or may be arrested or confined under any Mesne or Final Process, Civil or Criminal, issuing out of or from any Court of local or inferior Jurisdiction, having legal Authority for that Purpose, and which Authority shall have been used or acted upon at any Time within Six Years next before the said First Day of *January* One thousand eight hundred and twenty seven, shall and may be committed to the Common Gaol of the County, County of a City or County of a Town, as the Case may be, in which such Town Corporate or other Place is situated, under like Authority and in like Manner as any Person arrested under such Process was, before the passing of this Act, liable to be committed to the local Prison attached to such Court of inferior Jurisdiction : Provided always, that every Person so committed shall, to all Intents and Purposes, be deemed and taken to be in the Custody of the Court out of which such Process shall issue, or of the proper Officer of or under such Court, in the same Manner as if such Person had been committed to such local Prison ; and that the Sheriff of such County or County of a City or County of a Town shall be responsible to the Court out of which such Process shall issue, and to the proper Officer of or under such Court, for the safe keeping of the Body of every such Person during the Time for which such Person shall be committed to such Common Gaol of such County, City or Town ; and that no Action for Escape or other Action shall or may be maintained against the Lord of any Liberty or Franchise, or the Officer of any inferior Court of Jurisdiction, for or by reason of the sending or Committal of any Person as aforesaid to the general Gaol of any such County, County of a City or County of a Town as aforesaid, or for any Matter or Thing necessarily done or committed for the Purposes aforesaid, although such Person may thereby be removed and taken out of any such Town Corporate, Liberty or other Place having such Court of inferior Jurisdiction as aforesaid.

XCVII. Provided always, and be it enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and he and they is and are hereby authorized and empowered, upon Application on behalf of any Town Corporate or other Place as aforesaid, and upon satisfactory Proof that a sufficient Gaol has been built at the Expence of such Town Corporate or other Place as aforesaid, and is in existence, and that sufficient Provision is made for maintaining proper Discipline within the same, and for the carrying into effect in such Gaol the several Provisions of this Act relating to the Supplies thereof, to order that the Prison of such Town Corporate or other Place as aforesaid may be continued, as if this Act had not been made in that respect : Provided also, that nothing in this Act shall extend to the Abolition of the Marshalsea of the City of *Dublin* :

XCVIII. And be it further enacted, That every Person so arrested or confined according to the Provisions of this Act in the Common Gaol of any County or County of a City or County of a Town, under any Process out of any Court of local or inferior Juris-

Jurisdiction, shall and may from time to time be taken from and out of such common Gaol, and carried before the Court out of which such Process shall issue, by and in the Custody of the Officers of such Court, for any Purpose which may be required by such Court; and that in any such Case no Action for Escape or other Action shall or may be maintained against the Sheriff of the County, County of a City or County of a Town, to the Gaol of which such Person shall have been committed by virtue of this Act, nor for any Matter or Thing done or committed in or resulting from the Removal of such Person for such Purposes as aforesaid.

of local Jurisdiction.

XCIX. And be it further enacted, That during such Time as any Person arrested or confined under any Process of any Court of local or inferior Jurisdiction shall, according to the Provisions of this Act, be committed to and be confined in the Common Gaol of any County, County of a City or County of a Town in which such local Jurisdiction shall be situate, all the Charges and Expences of the Maintenance of such Prisoner shall be borne and paid by the proper Officers of such local or inferior Jurisdiction, in such Manner and to such Amount as shall be ascertained by the Grand Jury of the County, County of a City or County of a Town in which such Common Gaol shall be situate; and it shall be lawful for such Grand Jury, and they are hereby authorized and empowered from time to time (with the Consent of the Court or Judge), to make any Presentment or Presentments of the Amount of such Expences, to be paid by the proper Officer of such local Jurisdiction, at any Assizes to be holden for such County, County of a City or County of a Town respectively; and such Amount shall be paid accordingly, and shall be recoverable in a summary Way, by Civil Bill, at the Suit of the Treasurer of such County, County of a City or County of a Town, against the proper Officer or Officers of such local Jurisdiction.

Local Jurisdictions shall maintain their Prisoners when committed to County Gaols.

C. And be it further enacted, That in all Cases where it shall happen that the Gaol or Prison of any County at large in *Ireland* shall be situate within any County of a City or County of a Town, and there shall not be any separate Gaol or Prison for such County of a City or County of a Town within which it is practicable to carry into effect the Provisions of this Act, it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to direct and order that all Prisoners within such County of a City or Town shall be committed to and shall be kept in Custody in the Gaol of such County at large, so being situate in such County of a City or Town; and in case of such Order or Direction of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, the Maintenance of such Prisoners and a due Proportion of the other Expences of such County Gaol shall be provided for by Presentments, to be made by the Grand Jury of the County of a City or County of a Town to which such Prisoner shall belong, in lieu of all other Presentments in respect of the Gaol of such County of a City or Town, and the Sums presented for the Maintenance of such Prisoners shall be paid by the Treasurer of such County of a City or County of a Town to the Treasurer of such County at large.

Where the County Gaol is situate in a County of a City or Town, Lord Lieutenant may order all Prisoners of such City or Town to be committed to County Gaol.

CI. And

Persons arrested in inferior Jurisdictions under Process out of superior Courts shall be committed to County Gaol.

No Action against Officer of Liberty.

Where inferior Jurisdiction extends into Two Counties, Persons arrested shall be imprisoned in Gaol of County where resident.

Salary to Keepers of District and other Bridewells, by Presentment.

Poor Prisoners shall be kept to work.

Proviso.

CI. And be it further enacted, That in all Cases where any Writ or Process shall issue from the Courts of King's Bench, Common Pleas or Exchequer in *Ireland*, requiring the Seneschal, Bailiff or other Officer of any Liberty or Franchise to arrest the Body or Bodies of any Offender or Offenders or Defendant or Defendants, or where any Writ or Process shall be endorsed by the Sheriff of any County, County of a City or County of a Town within which any such Liberty or Franchise, or any Part thereof, is situate, requiring and commanding such Seneschal, Bailiff or other Officer to make Execution of such Writ or Process, every Person arrested under such Writ or Process shall be committed to the Common Gaol of the County, County of a City or County of a Town within which any such Liberty or Franchise, or Part thereof, is situated; and that every Person so imprisoned shall be deemed and taken to be in the Custody of the Seneschal, Bailiff or other Officer of such Liberty or Franchise, as fully and effectually as if such Person were committed to the local Prison of any such Liberty or Franchise; and the Seneschal, Bailiff or other Officer of any such Liberty or Franchise shall not be liable to any Action for or by reason of such Committal to such Common Gaol.

CII. And be it further enacted, That where any Town Corporate, Liberty, Franchise or other Place having any Court of inferior Jurisdiction, shall be situated partly within One County and partly within another County, or partly within a County and partly within a County of a City or County of a Town, every Person who shall or may be arrested under any such Writ or Process as aforesaid, within such inferior Jurisdiction as aforesaid, shall be committed to the Common Gaol of the County, County of a City or County of a Town within which that Part of such Town Corporate, Liberty, Franchise or Place shall be situate, where such Person may be resident at the Time of the Arrest of such Person respectively; and if such Person shall have no Residence therein, then in that Part thereof where such Arrest shall be made.

CIII. And be it further enacted, That it shall be lawful for the Grand Jury of every County, and they are hereby required to present for each Keeper of any District Bridewell a Salary of not less than Forty Pounds a Year, and for each Keeper of every other Bridewell a Salary of not less than Ten Pounds a Year; and One Half of every such Salary respectively shall be presented at each Assizes to be holden for each County.

CIV. And be it further enacted, That the Keeper of each and every Prison in *Ireland* shall have full Power and Authority, and he is hereby required to keep every poor Prisoner in such Prison to Work of such Kind as the Grand Jury or Board of Superintendence, or in their Default any Three Justices of the Peace respectively, shall direct and appoint by any Order to be made for that Purpose: Provided always, that no Person shall be put to hard Labour who has not been convicted of some Offence, and sentenced to Imprisonment for the same.

' CV. And Whereas Persons are often committed to Prison for Trial, who, not being poor Prisoners as aforesaid, are willing to be employed in such Work or Labour as can be conveniently executed or done in the Prison to which they are so committed,

' and

‘ and it is fit that such Persons should be so employed, rather than that they should be obliged to remain idle during their Confinement ;’ Be it therefore enacted, That it shall and may be lawful for the Board of Superintendence of any Prison to which this Act shall extend to authorize, by an Order in Writing, the Employment of any such Prisoners, with their own Consent, in any such Work or Labour ; and it shall be lawful for the Keeper of such Prison to employ such Prisoner in such Work or Labour accordingly, and to pay to such Prisoners any such Wages or Portion of the same, and at such Periods as shall be directed by such Board of Superintendence : Provided always, that it shall not be lawful to place together, on account of such Employment, any Prisoners who would otherwise be kept separate under the Provisions of this Act ; and provided further, that such Consent of every such Prisoner shall be freely given, and shall not be extorted or obtained by Deprivation or Threat of Deprivation of any Prison or other Allowance ; and that no Prisoner before Conviction shall, under any Pretence, be employed on the Tread Wheel, either with or without his Consent.

Persons committed for Trial allowed to work, and to receive a Portion of their Earnings.

Proviso.

No Prisoner to be employed on the Tread Wheel before Conviction.

CVI. And be it further enacted, That all Materials and Tools necessary for any such Work, and all Books and Teachers or Schoolmasters necessary for the learning of any Trade, as well as for the Instruction of every such poor Prisoner in Reading and Writing, shall be in like manner provided, and the Expence thereof raised by Presentment as aforesaid.

Materials, Tools, &c. to be provided.

CVII. And be it further enacted, That in every Prison in *Ireland* an Account shall be kept by the Keeper of such Prison of any Profits which may arise from the Work of each poor Prisoner therein, and One Third of such Profits, if any shall arise, shall be for the Use of such poor Prisoner, and that the other Two Thirds of such Profits shall be applied in and towards the Payment of and for the several Necessaries supplied to the poor Prisoners in such Prison as therein provided ; and the Balance only shall be paid from time to time out of the Funds herein directed in that Behalf respectively : Provided always, that no Claim shall be made to any Portion of the Earnings in the Event of no Profit arising from the Work, or in the Case of Persons sentenced to hard Labour under any Law for that Purpose which may at any Time be in force in *Ireland*.

Poor Prisoner shall have One Third of Profit, and Two Thirds to be applied to his Maintenance.

CVIII. And be it further enacted, That the Keeper of every Prison in *Ireland* shall be held responsible for the Execution of every Sentence to the Tread Wheel or other Description of hard Labour within the Gaol, and shall previously to the First Day of every Assizes make out a true and just Return in Writing in the Form in the Schedule to this Act annexed marked (F), or in some other Form to be approved by the Judges of His Majesty's Court of King's Bench or any One or more of them, of all Persons in his Custody who have been sentenced to the Tread Wheel or other hard Labour by the Court at any previous Assizes, specifying in such Return the Manner in which such Sentences have been carried into Execution, the particular Species of Labour in which such Prisoners have been employed, and the average Number of Hours in a Day for which such Persons so sentenced have been kept to Work ; which Return shall be signed by such Keeper, and also

Returns of Persons sentenced to hard Labour to be made at the several Assizes by Keepers of Prisons.

by

by the Local Inspector, or by One at least of the Board of Superintendence of such Prison, who shall add thereto such Observations as the Case and Circumstances may appear to him to require; and such Return shall be delivered to the Justice of Assize and Gaol Delivery, and shall be kept and filed by the proper Officer amongst the Records of the Court.

Rules and Regulations for the Management of the several Prisons and Classification of the Prisoners.

CIX. And be it further enacted, That the following Rules and Regulations shall be strictly observed and carried into Force and Effect in every Gaol, House of Correction, Marshalsea, Bridewell, Sheriff's Prison and other Prisons throughout *Ireland*, so far as the same shall be practicable therein; that is to say,

First:— It shall not be lawful for any Woman to be Keeper of any Prison.

Second:— The Keeper of each Prison shall reside therein; he shall not be an Under Sheriff or Bailiff, nor shall he be concerned in any Occupation or Trade whatsoever; no Keeper or Officer of a Prison shall sell, nor shall any Person in Trust for him or employed by or under him, sell or have any Benefit or Advantage from the Sale of any Article to any Prisoner, nor have directly or indirectly any Interest in any Contract or Agreement for the Supply of the Prison.

Third:— A Matron shall be appointed in every Prison in which Female Prisoners shall be confined, who shall reside in the Prison, and it shall be the Duty of the Matron constantly to superintend the Female Prisoners.

Fourth:— The Keeper shall, as far as may be practicable, visit every Ward, and see every Prisoner, and inspect every Cell once at least in every Twenty four Hours; and when the Keeper or any other Officer shall visit the Female Prisoners, he shall be accompanied by the Matron, or, in case of her unavoidable Absence, by some Female Officer of the Prison.

Fifth:— No Tap shall be kept in any Prison, nor shall Spirituous Liquors of any Kind be admitted for the Use of any of the Prisoners therein, under any Pretence whatever, unless by a written Order of the Physician or Surgeon, specifying the Quantity, and for whose Use; no Wine, Beer, Cyder or other fermented Liquors shall be admitted for the Use of any Prisoners, except in such Quantities, in such manner and at such Times as shall be allowed by the Rules hereafter to be made in pursuance of this Act.

Sixth:— The Person or Persons whose Duty it shall be to deliver out Bread or other Provisions, or One of the said Persons, and the Keeper of the Prison, shall attend for that Purpose every Day, and shall take care that the same is properly distributed, according to the Wants of the Prisoners respectively, and that it is not more than Twenty four Hours since any Bread which may be so distributed had been baked; and such Person or Persons shall not suffer any Prisoner to commute the said Allowance, by receiving the Value thereof in Money, or in any other manner whatsoever.

Seventh:— The Walls and Ceilings of the Wards, Cells, Rooms and Passages used by the Prisoners, throughout every Prison, shall be scraped and limewashed, at least Twice in the Year;

and

and the Day Rooms, Passages and Sleeping Cells shall be washed or cleansed once a Week, or oftener, if requisite; the Straw shall be changed once in every Two Months; convenient Places for the Prisoners to wash themselves shall be provided, with an adequate Allowance of Soap, Towels and Combs; a Fire shall be lighted in the Day Rooms, for Ten Hours in the Day, from the First Day of *October* to the First Day of *April* in every Year, and at such other Times as the Board of Superintendence of the Gaol shall deem necessary.

Eighth:— The Classification hereinbefore directed and required by this Act shall be invariably carried into Effect, and the Debtors shall be separated into Two Divisions, those who are maintained by the Public being placed in every respect on the same Footing as untried poor Prisoners of any other Class.

Ninth:— That all Prisoners shall have free Access to the Baths and Necessary, in their respective Parts of the Prison, at all reasonable Hours; and shall also be admitted at proper Times in Succession, to air themselves in the Yard or Yards, for at least Two Hours in every Day, except Prisoners under Sentence of Death, and such Persons as shall be riotous or disorderly, or where there may be sufficient Cause to apprehend that an Escape may be attempted.

Tenth:— No Horses, Cows, Hogs, Pigs, Cattle or Poultry of any Kind, shall be kept within the Boundary Walls of any Prison.

Eleventh:— No Prisoner, even when condemned to Death, shall be put into a Dungeon or Room under Ground.

Twelfth:— No smoking, gambling, swearing, indecent Language or unreasonable Noise, shall be allowed in any Prison.

Thirteenth:— The Local Inspector shall visit every Prison under his Inspection twice at least in every Week; at each Visit he shall go into every Room in the Prison, and if any Complaint shall be made by the Prisoners, or any of them, or against the Gaoler or his Assistants, the Inspector shall immediately inquire into the Particulars of such Complaint, and if the same shall appear to be well founded, he shall report accordingly to the Inspector General of Prisons, and to the Board of Superintendence.

Fourteenth:— The said Local Inspectors shall each of them report specially on Oath the State of each and every Prison under their Inspection respectively; the Inspector or Inspectors for the County of *Dublin* and County of the City of *Dublin* to the Court of King's Bench in every Term, and the Inspectors for all the other Counties, to the Judge at each Assizes.

Fifteenth:— The Keeper of every Prison shall have Power to hear all Complaints touching any of the following Offences; (that is to say,) Disobedience to any of the Rules of the Prison; Assaults by One Person confined in such Prison upon another, when no dangerous Wound or Bruise is given; profane cursing and swearing; any indecent Behaviour, and any irreverent Behaviour at Chapel, all of which are declared to be Offences by this Act, if committed by any Description of Prisoners; breaking Windows or otherwise injuring the Prison or any Part of the Furniture thereof; Absence from Chapel without Leave; Idleness

Idleness or Negligence in Work, or wilful Mismanagement of it; and the said Keeper may examine any Person touching such Offences, and may determine thereupon, and may punish all such Offences, by ordering the Offender or Offenders to close Confinement in the refractory or solitary Cells, and by keeping such Offenders respectively upon Bread and Water only, for any Term or Terms respectively, not exceeding in any Instance Three Days.

Sixteenth:— In case any Prisoner shall be guilty of repeatedly offending against the Rules of the Prison which shall be then existing, or shall be guilty of any greater Offence against the said Rules than the Gaoler or Keeper is by this Act empowered to punish, the said Gaoler or Keeper shall forthwith report the same to any Justice of the Peace acting in and for the County, County of a City or County of a Town to which such Prison belongs, being a Member of the Board of Superintendence of such Prison, and in their Default any other Justice acting in and for the said County, County of a City or County of a Town to which such Prison belongs; and any One Justice shall have Power to inquire upon Oath, and to determine concerning any such Offence so reported to him or them, and to order such Offender to be punished by solitary Confinement on Bread and Water, for any Term not exceeding One Calendar Month.

Seventeenth:— No Prisoner shall be put in Irons by the Keeper of any Prison, except in case of urgent and absolute Necessity, and the Particulars of every such Case shall be forthwith entered in the Keeper's Journal, and Notice forthwith given thereof to One of the Board of Superintendence appointed under this Act, or in the County of the City of *Dublin* to any Justice of the Peace or Magistrate for the County of the said City, and the Keeper shall not continue the Use of Irons on any Prisoner longer than Four Days, without an Order in Writing from a Member of the said Board of Superintendence, being a Justice of the Peace, (or in the County of the City of *Dublin* from any Justice of the Peace or Magistrate there,) specifying the Cause thereof, which Order shall be preserved by the Keeper as his Warrant for the same.

Eighteenth:— Female Prisoners shall in all Cases be attended by Female Officers.

Nineteenth:— Due Provision shall be made for the Admission, at proper Times and under proper Restrictions, of Persons with whom Prisoners committed for Trial may desire to communicate, and such Rules and Regulations shall be made by the Board of Superintendence, or in the County of the City of *Dublin* by the Grand Jury, with the Approbation of the Court of King's Bench, for the Admission of the Friends of Prisoners, as to such Board or Grand Jury may seem expedient; and the Board or Grand Jury shall also impose such Restrictions upon the Communication and Correspondence of all Prisoners with their Friends, either within or without the Walls of the Prison, as they shall judge necessary for the Maintenance of good Order and Discipline in such Prison.

Twenty:— The Physician or Surgeon shall examine every Prisoner who shall be brought into the Prison, before he or she shall be

be passed into the proper Ward ; and no Prisoner shall be discharged from Prison, if labouring under any acute or dangerous Distemper, nor until, in the Opinion of the Surgeon or Physician, such Discharge is safe, unless such Prisoner shall require to be discharged ; the Wearing Apparel of every Prisoner shall be fumigated and purified, if requisite, after which the same shall be returned to him or her, or other sufficient Clothing shall be furnished according to the Rules and Regulations of the Prison.

Twenty first : — Every Prisoner shall be provided with suitable Bedding, and every Male Prisoner with a separate Bed, Hammock or Cot, either in a separate Cell, or in a Cell with not less than Two other Male Prisoners.

Twenty second : — Upon the Death of a Prisoner, Notice thereof shall be given by the Keeper forthwith, to some Member of the Board of Superintendence, being a Justice of the Peace, or in the County of the City of *Dublin* to any Justice of the Peace or Magistrate, as well as to the Coroner of the District, and to the nearest Relative of the Deceased, where practicable ; and in case the Coroner shall hold an Inquest on the Body of any Prisoner, none of the Prisoners confined in that Prison shall be a Juror on such Inquest.

Twenty third : — The Keeper of every Prison shall be provided with a Copy of this Act.

Twenty fourth : — The Local Inspector shall, in his Reports of the State of every Prison (according to the Fourteenth Rule) under his Inspection, insert a Copy of the foregoing Regulations at full Length ; and in a separate Column, opposite to each of the said Regulations, shall certify and state how far each of them has been observed and complied with ; and shall also state and set down how far the several other Directions contained in this present Act have been observed and executed, and particularly whether the poor Prisoners have been supplied with the Food, Clothing and Bedding prescribed by this Act.

CX. And be it further enacted, That if any Person shall carry or bring, or attempt or endeavour to carry or bring into any Prison in *Ireland*, any spirituous or fermented Liquor, unless under the Order of some competent Authority, it shall be lawful for the Keeper or other Officer to apprehend or cause to be apprehended such Offender, and to carry such Offender before a Justice of the Peace, (who is hereby empowered to hear and determine such Offence in a summary Way,) and if such Justice shall lawfully convict such Person of such Offence, he shall forthwith commit such Offender to the Common Gaol or House of Correction, there to be kept in Custody for any Time not exceeding Three Months without Bail or Mainprize, unless such Offender shall immediately pay down such Sum of Money, not exceeding Twenty Pounds, as such Justice shall impose upon such Offender ; to be paid, One Moiety to the Informer, and the other Moiety to the Treasurer of the County, in aid of the Maintenance of such Prison ; and if any Keeper of any Prison, or any Prisoner or other Person, shall sell, use, lend or give away, or knowingly permit or suffer to be sold, used, lent or given away in such Prison, or brought into the same, any

Conveying, &c.
Spirituous Li-
quor into
Prisons.

Punishment.

Keeper of
Prison, &c.
offending as
herein men-
tioned.

Penalty.

any spirituous or fermented Liquors; he shall for every such Offence, over and above any other Punishment by this Act inflicted, forfeit and lose the Sum of Twenty Pounds; or if a Prisoner, he or she shall in lieu of such Penalty be placed in solitary Confinement for any Period not exceeding One Calendar Month.

Regulations
for supplying
discharged Pri-
soners with the
Means of re-
turning to their
Homes, &c.

‘CXI. And Whereas it is desirable that Prisoners discharged from Prison should be supplied with the Means of returning to their Families, or to some Place of Employment where they may be engaged in a Life of honest Labour for their Maintenance, and prevented from pursuing evil Courses;’ Be it therefore enacted, That it shall and may be lawful for any Two Justices of the Peace or Magistrates in the County of the City of *Dublin*, and for the Board of Superintendence of any Prison in any other Place in *Ireland*, from whence any Prisoner shall be discharged, to direct that such moderate Sum of Money shall be given and paid to any and every such Prisoner so discharged, who shall not have the Means of returning to his or her Family or Place of Settlement, or resorting to any Place of Employment or honest Occupation, as in the Judgment of such Justices or Board shall be requisite and necessary for such Purpose, under all the Circumstances attending the Case of any such Prisoner; and that such Sum of Money shall be paid by the Inspector of such Prison to or for the Use of such Prisoner for the Purpose aforesaid; and that all such Sums shall be provided for, or in such manner as is by this Act directed with respect to the Expence of the Support and Maintenance of the Prisoners in any such Prisons respectively.

Court of King’s
Bench empow-
ered to make
new Rules and
Regulations.

‘CXII. And Whereas it may hereafter be found expedient that new and additional Rules and Regulations for all Prisons, or for any particular Prison or Prisons in *Ireland*, should from time to time be made for the furtherance of the Provisions of this Act;’ Be it therefore enacted, That it shall and may be lawful for His Majesty’s Court of King’s Bench in *Ireland*, if such Court shall think proper, to order, direct and ordain that any such Rules or Regulations shall be altered, or that any new Rules and Regulations, whether temporary or permanent, shall be made for the better Government of all or any Prisons or Prison in *Ireland*, and the Officers thereof, and the Provisions therein respectively, and for the Classification and Distribution of Prisoners, and generally either with respect to all Prisons, or to any Kind or Description of Prisons, or to any particular Prisons or Prison in *Ireland*, at the Discretion of such Court, provided the same be not inconsistent with the Provisions of this Act; and it shall and may be lawful for His Majesty’s Court of King’s Bench, on Proof of Disobedience to such Rules and Regulations, or of any Misconduct on the Part of any Inspector, or of any Keeper or other Officer of any Prison, by a summary Order, to dismiss such Inspector or Keeper, or other Officer so offending, from his Office: Provided always, that no Officer so dismissed shall be re-eligible to his Office by any Sheriff, Grand Jury or other Authority whatever, without the Permission of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*; and every Officer holding any Office in any Prison or Prisons in *Ireland* shall, while he shall hold that Office, be deemed, taken and considered, in respect thereof, as an Officer

Disobeying
such Rules,
Punishment.

Officer of the said Court of King's Bench, and subject to the Orders thereof as such.

CXIII. And be it further enacted, That every Keeper of any County Prison, and the Inspector and every other Officer of such Prison, shall, at all reasonable Hours, attend in such Prison, on due Notice for that Purpose, in order to give to the Board of Superintendence, or any Three of them as aforesaid, such Information as may be necessary, on Oath or otherwise, as shall be required by them, concerning such Prison and the Officers thereof, or any of them, and concerning the Prisoners therein, or any of them, and relating to all Matters connected with the Order and good Government of such Prison; and if any such Keeper, Inspector or other Officer shall refuse so to attend, or to be examined, or to give sufficient Answer to any Inquiry, it shall and may be lawful for any One of such Board of Superintendence to make Complaint thereof to the Court of King's Bench, or in Vacation to any Judge thereof, and such Court or Judge may commit such Offender as in Cases of Contempt of the said Court of King's Bench.

Keepers of Gaols, Inspectors and Officers to attend and answer all Inquiries of Board of Superintendence.

Officer refusing, Punishment.

CXIV. And be it further enacted, That it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, by and with the Advice and Consent of His Majesty's Privy Council in *Ireland*, from time to time to make such Rules, Orders and Regulations as shall appear to the said Lord Lieutenant and the Privy Council to be requisite and necessary for the Management and Regulation of the *Smithfield* Penitentiary and of the *Richmond* Bridewell in *Dublin*, and for the Appointment of the Gaolers, Keepers and all other Officers of the said Penitentiary and Bridewell respectively; and such Prisoners only shall be committed to and confined in the said Penitentiary and Bridewell respectively as shall be specified and directed in and by such Rules, Orders and Regulations; and such Rules, Orders and Regulations may be from time to time altered and amended in like manner; and also that it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, by and with the Advice and Consent of the said Privy Council, from time to time to make such Rules, Orders or Regulations as shall appear to such Lord Lieutenant or other Chief Governor or Governors and Privy Council to be necessary for the Classification and Separation of all Prisoners in any Prisons which are or may be situate or established within the County of the City of *Dublin*, by allotting and appointing the said several Prisons for the Custody of One or more Class or Classes of Prisoners, and by directing what Class or Classes of Prisoners shall be committed or removed to *Newgate*, what Class or Classes of Prisoners shall be committed or removed to the *Smithfield* Penitentiary, and what Class or Classes of Prisoners shall be committed or removed to the *Richmond* Bridewell, or to any other Prison which may be situated or established within the County of the City of *Dublin*; and such Prisoners only shall in future be committed or removed to or be confined in the said Gaol of *Newgate*, and the said Penitentiary and Bridewell or other Prison respectively, as shall be specified and directed in and by such Rules, Orders and Regulations, and such Rules, Orders and Regulations as may be from time to time altered and amended by the Lord Lieutenant and other Chief Governor

Lord Lieutenant may make Orders for the Regulation of the *Smithfield* Penitentiary and *Richmond* Bridewell, and for the Classification of Prisoners there.

Marshal of the Four Courts, or of being Deputy Marshal of the same, or of being employed under the Four Courts: Provided that nothing herein contained shall prevent the Receipt or Recovery of any Fees or Rates for Lodgings which shall be due to such Marshal at any Time previous to the Commencement of this Act.

Appointment of
Inspectors,
Chaplains, &c.
to Prisons:

CXXIII. And be it further enacted, That in and for the Marshalsea of the Four Courts of *Dublin* or any other Prison, the Expence whereof shall be defrayed out of the Consolidated Fund of the United Kingdom, it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, to appoint all such Inspectors, Chaplains, Physicians, Surgeons, Apothecaries and other Officers respectively, as may be requisite for such Marshalsea or other Prison as aforesaid; and that the Salaries of such Inspectors, Chaplains, Physicians, Surgeons, Apothecaries and other Officers, as well as the Expence of all Articles which shall be furnished to any of the poor Prisoners in the Marshalsea of the Four Courts, or in any such other Prison, shall be paid out of the Consolidated Fund, by Warrant of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, on being vouched by the Local Inspector on Oath: Provided always, that One Deputy Marshal of the Four Courts Marshalsea, Three Hatchmen, and all inferior Officers necessary for the safe Custody of Prisoners, or the Discipline of the Prison, shall be appointed and paid by the Marshal of such Marshalsea.

Expence to be
defrayed out
of Consolidated
Fund.

Appointment
of Deputy
Marshal, &c.

Dublin City
Marshalsea kept
separate.

CXXIV. And be it further enacted, That the Marshalsea of the City of *Dublin* shall be kept separate and distinct from all other Prisons, in a House and Place by itself, under the Care of such Person or Persons as shall be duly authorized and appointed to keep the same.

Keeper to be
elected by Cor-
poration.

Marshal not
liable for
Escapes.

CXXV. And be it further enacted, That it shall and may be lawful to and for the Corporation of the said City of *Dublin*, at any Quarter Assembly, or at any Post Assembly, held for that Purpose, to elect and appoint a fit and proper Person to be Keeper of the said Marshalsea Prison: And it is hereby declared, that the Marshal of the said City shall be exempt from the Care and Custody of the Prisoners to be therein confined; and that such Marshal shall not be liable to any Damages, Costs or Charges whatever for or on account of any Escape that shall be effected or made from such Prison.

Keeper an-
swerable for
Custody of
Prisoners.

CXXVI. And be it further enacted, That the Keeper of the said Marshalsea of the City of *Dublin* shall be answerable for the safe Custody of all such Prisoners as shall be confined in the said Marshalsea, and that he shall observe and perform the several and respective Rules herein required with respect to Prisons wherein Debtors are confined.

Keeper not to
interfere with
Duties of Mar-
shal of Dublin.

CXXVII. Provided always, and be it further enacted, That such Election or Appointment of any Person to be Keeper of such Marshalsea Prison of the said City of *Dublin* as aforesaid, shall not extend or be construed to extend to permit or allow any such Person to interfere in any degree whatsoever with any of the Duties, Privileges or Emoluments annexed to the said Office of Marshal of the said City, or which heretofore have been exercised or enjoyed by him or his Predecessors, save only and except in the Care of the said Marshalsea Prison, and the safe keeping of the said Prisoners to be confined therein.

CXXVIII. And be it further enacted, That the Prison for Debtors in the County of the City of *Dublin* called The Sheriff's Prison, and the Keeper thereof, shall be under the Controul of His Majesty's Court of King's Bench in *Dublin*, and shall be subject to all such Rules and Orders as shall be made by the said Court for the Government of the said Prison, and for the Regulation of the Rate of Rents for the Lodging and Accommodation of Prisoners in the same Prison, and of the Fees to be taken by the Keeper of the said Sheriff's Prison.

Keeper of Sheriff's Prison under Controul of Court of K. B.

CXXIX. And be it further enacted, That if the Amount of Rents and Fees to be established for the said Sheriff's Prison shall at any Time appear to the Grand Jury of the County of the City of *Dublin* to fall short of the Amount necessary to provide a sufficient Salary to the Keeper of the said Prison, together with sufficient Sums for the Payment of the Hatchmen and other Officers and Servants necessary for the safe Custody of the Prisoners, or the Discipline of the Prison; then and in every such Case it shall be lawful for such Grand Jury at any Presenting Term to make Presentment of such Sum or Sums of Money as shall be necessary to supply such Deficiency; and it shall also be lawful for such Grand Jury at any Presenting Term also to make Presentment of any such Sum or Sums of Money as such Grand Jury shall think requisite for the Repairs or other necessary Expences of maintaining the said Prison: Provided always, that the Salary of the Keeper of the said Sheriff's Prison, including all Rents and Fees allowed to be received by him, shall not in any One Year exceed the Sum of Five hundred Pounds over and above the Salaries paid by the Keeper of the said Prison to the Hatchmen and other Officers and Servants in the said Prison, to such Amount as shall be approved of by the Court at each Presenting Term.

Grand Jury may present for Salary of Keeper of Sheriff's Prison and his Officers, if Rents, &c. do not appear sufficient.

CXXX. And be it further enacted, That the Marshal of the City of *Dublin* shall observe and keep the same Rules, and shall take the same Rates for the Lodging and Accommodation of Prisoners, in such Sort and in such Manner as the Marshal of the Four Courts shall from time to time be entitled to take, save and except so far as the same may be otherwise from time to time ordered by the Court of King's Bench; and in case the Marshal of the City of *Dublin* for the Time being, or his Deputy, or the Keeper of the Sheriff's Prison, or any other Person or Persons employed under him, shall take, receive or exact any Fee, Gratuity or Reward, not authorized by this Act, from any Person whomsoever committed as a Prisoner to his Custody, or shall not observe and perform the Rules and Rates in every respect which shall from time to time be prescribed as aforesaid with respect to the Marshalsea of the City of *Dublin*, or Sheriff's Prison, then the said Marshal of the City of *Dublin* for the Time being or his Deputy, or the Keeper of the Sheriff's Prison, or other Person who shall offend therein, shall suffer and incur the like Forfeitures and Disabilities as concerning the Marshal of the Four Courts, his Deputy, and all Persons employed by him, is hereinbefore provided respectively.

Marshal of City Marshalsea shall observe the same Rules, &c. as the Marshal of the Four Courts, and be under like Penalties.

CXXXI. And, in order to render more effectual the several Provisions and Regulations contained in this Act; Be it enacted, That the Court of King's Bench, and all and every Judge and Judges of Assize and General Gaol Delivery in *Ireland* respectively,

Court of K. B. and Judges of Assize to give

Act in charge to
Grand Juries.

ively, are hereby directed and required, from time to time as Occasion shall require, to give this Act in charge to the Grand Juries of the several Counties in *Ireland* respectively, or so much thereof as concerns such Grand Juries respectively, and to require them to comply therewith as the Law directs, and to make such Presentments as are herein mentioned and directed.

If Present-
ments not made
by Grand Juries,
Judges may
order Amount
to be added to
Treasurer's
Warrant.

CXXXII. And be it further enacted, That if any of the said Grand Juries, after having been properly called upon and directed by such Court and Judges respectively to make such Presentments as are required by this Act, shall notwithstanding refuse or neglect or omit to make such Presentment or Provision respectively before the last Day of any Assizes or Presenting Term respectively, then and in every such Case the said Court and Judges respectively are hereby empowered and required to direct that the Amount of the Sum which ought to have been presented shall be added to the Warrant of the Treasurer of the County, County of a City or County of a Town, and shall be raised, levied, apportioned and assessed after the same Manner as the Presentments for County Charges, on the County at large.

Judges may re-
duce Present-
ments, if more
than necessary.

CXXXIII. And be it further enacted, That if any of the said Grand Juries shall at any Time present for any of the said Purposes a Sum which shall appear to the Court to be greater than is proper or reasonable for such Purpose, then and in every such Case it shall and may be lawful to and for the Court or Judge receiving such Presentment, at the Time of so receiving the same, to order that the same shall be reduced to such Sum as he or they shall think proper, which shall be done accordingly; and the same shall then be fiatd, and shall be deemed, taken and proceeded on in the same Manner in all respects as if the same had been originally so presented.

Court of K. B.
and Judges of
Assize to in-
quire into the
Manner of exe-
cuting Act
as to Present-
ments.

CXXXIV. And, in order that the beneficial Purposes of this Act may be more fully and faithfully carried into effect; Be it enacted, That the said Court of King's Bench and Judges of Assize shall, Once in every Assizes and Presenting Term respectively, make diligent Inquiry, by Examination on Oath in Court, and by such other Ways and Means as they shall think proper, concerning the several Matters for which Presentments are or shall be by this or any other Act relating to any of the Matters aforesaid directed or authorized to be made at such Assizes or Term respectively, and finally shall decide, after such mature Consideration, as to the Exercise of the Powers so hereinbefore given in that respect.

Limitation of
Actions for
executing Act.

CXXXV. And be it further enacted, That if any Action shall be brought or Suit commenced against any Person or Persons, for any Thing done in pursuance of this Act, or in relation thereto, every such Action or Suit shall be brought within Six Calendar Months after the Fact done, and the Venue thereof shall be laid in the proper County, and not elsewhere; and the Defendant or Defendants to such Action may plead the General Issue and give this Act and the special Matter therein contained in Evidence on any Trial to be had thereupon; and if a Verdict shall be given for the Defendant in such Action, or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of his, her or their Action, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have and recover Double Costs, the Plaintiffs first suggesting

General Issue.

Double Costs.

on

on the Record, by Leave of the Court, that the Action was brought for an Act done in pursuance of this Act, or in relation thereto, if the same shall not sufficiently appear by the Pleadings.

CXXXVI. And Whereas by an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of His present Majesty, intituled *An Act to abolish the Payment by Prisoners in Ireland of Gaol Fees and all other Fees relating to the Commitment, Continuance, Trial or Discharge of such Prisoners, and to prevent Abuses by Gaolers, Bailiffs and other Officers*, it is amongst other Things enacted, that all Fees and Gratuities whatever, paid or payable by any Prisoner in Ireland on the Entrance, Commitment, Continuance in Custody or Discharge of any such Prisoner, to, in or from any Prison in Ireland, shall absolutely cease and determine, and that no Fee or Gratuity shall be paid or payable by any such Prisoner: And Whereas Doubts have arisen whether the Provisions of the said recited Act of Parliament extend to Prisoners confined for Debt; Be it therefore declared and enacted, That the said recited Act, and the several Clauses and Provisions therein contained, do and shall extend and apply, and shall be construed to extend and apply, to Prisoners confined or to be confined for Debt in any Prison in Ireland, in as full and ample a Manner as if such Prisoners had been specially mentioned therein; and that no Fee or Gratuity whatever shall be paid or payable by or in respect of any such Prisoner (save and except in manner and in the Cases specially excepted and provided for in the said recited Act); any Law, Custom or Usage to the contrary notwithstanding.

Provisions of
1 & 2 G. 4.
c. 77. for
Abolition of
Prison Fees,
extended
as herein
mentioned.

CXXXVII. And be it further enacted, That there shall be hung up in a conspicuous Manner in every Prison in Ireland, a Notice in the following Words; *videlicet*,

Notice of Abolition of Fees to be affixed in all Prisons.

NOTICE is hereby given, That all Prison Fees whatsoever are abolished by Act of Parliament; and any Sheriff, Under Sheriff, Gaoler, Turnkey, Clerk of the Crown, Clerk of the Peace or his or their Deputy or Deputies, Bridewell Keeper or other Officer, taking or demanding any Fee, Gratuity or Reward, is thereby subject to a Penalty of Five Pounds; and that the Abolition of such Fees extends to all Persons confined for Debt, and to all Prisoners required by their Sentence to enter into Recognizance after completing the Period of their Imprisonment.

CXXXVIII. Provided always, and be it further enacted, That all the Acts and Duties to be performed by the several Grand Juries at the Assizes under this Act may, in the County of Dublin and County of the City of Dublin, be performed by the Grand Juries at the Presenting Terms duly met and impanelled.

Grand Juries in Dublin to act at Presenting Terms.

CXXXIX. Provided always, and be it enacted, That this Act shall not extend or be construed to extend to the Marshalsea of the Four Courts of the City of Dublin, or to the Marshalsea of the City of Dublin, or to the Sheriff's Prison there, save and except such Enactments thereof as expressly relate to the said Prisons respectively, and such as require a Supply of the Dresses, Diet and Furniture to the poor Prisoners, the Expence of which shall be defrayed out of the same Funds from which the other Expences of the said Prisons respectively are provided to be paid, and also save and except such Enactments of this present Act as

What Parts of Act to extend to Four Courts Marshalsea.

relate to the Authority of the Court of King's Bench, and such Enactments as regulate the Office and Authority of the Inspectors General of Prisons.

What Part
to extend to
Hulks and
Penitentiaries.

CXL. And be it further enacted, That this Act shall not extend or be construed to extend to any Hulks or to any general Penitentiaries for the Confinement of Persons sentenced to Transportation, other than except such Parts thereof as relate to the Inspection and Report of the Inspectors General to be appointed under this Act.

Act may be
altered, &c.
this Session.

CXLI. And be it further enacted, That this Act may be altered, amended or repealed by any Act or Acts to be passed in this present Session of Parliament.

Commence-
ment of Act.

CXLII. And be it further enacted, That this present Act shall commence and take effect immediately from and after the First Day of *July* One thousand eight hundred and twenty six, except in Cases where any other Time is specified.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

INSTRUCTIONS to be prefixed to the Provision Book of every Gaol.

The Grand Jury of each County will determine from Three Descriptions of Dietary, detailed in the Provision Book, which may be most suitable to the Circumstances of the County; and such Dietary is to be posted up in some conspicuous Part of the Prison, and used throughout the Gaol. The Columns under the Head of the Two other Dietary Tables will of course remain blank.

A Pass Book is to be kept with the Contractors for each Article of Provision consumed in the Gaol, in which the Amount of Quantity of each Article is to be entered as it is supplied. When a Payment is to be made, the Provision Book and Pass Books are to be made up, to ascertain that the Quantity used of each Article, together with the Quantity in Store, corresponds with the Quantity laid in, and with the regulated Allowances. The Blank Columns at the End of the Account are intended for any extra Supplies, as where Turf is used as Fuel, or under any other extra Circumstances.

When any Man is placed on Diet below the regulated one, his Allowance of each Article composing the usual Diet will make a Deduction in the Column in which the Amount of that Article is stated; this Deduction from the regular Calculation will be explained by a *N.B.* at the Foot of the Account for the Day; as, for Example, "*N.B.* One Man on Bread and Water."

In Line of "Brought forward," in the Abstract Account, is to be inserted the Total Issue from the Day of last Settlement of the Books.

We approve the Regulations contained in this Book.

Dublin,

18

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Judges of the Court of King's Bench.

SCHEDULE (A.) — continued.

[illegible]

SCHEDULE (A.) — continued.
ABSTRACT OF DAILY CONSUMPTION.

	Brought forward	Issued this Day	=
Lbs.	Oz.	Meal for Stirabout.	Sweet Milk.
Gallons.	Quarts.	Pints.	Gallons.
Butter Milk.	Gallons.	Quarts.	Pints.
Beef.	Lbs.	Oz.	Mutton.
Lbs.	Oz.	Lbs.	Oz.
Bread.	Lbs.	Oz.	Butter Milk.
Potatoes, lbs.	Tons.	Barrels.	Hushels.
Coal.	Turf.	Saw.	

SCHEDULE (B.)

ANNUAL INSPECTION RETURN of BEDDING, &c.

Gaol.

No. of Class.	Rated Number of Prisoners.	Blankets,		Prison Dresses,		Iron Bedsteads, or equivalent.		Bed Tickens,	
		In Store.	Deficient.	In Store.	Deficient.	In Store.	Deficient.	In Store.	Deficient.
1	-								
2	-								
3	-								
4	-								
5	-								
6	-								
7	-								
8	-								
9	-								
10	-								
Hospital	-								
Total	-								

I Inspector General of Prisons, do certify, That I have inspected the Bedding, Clothing and Furniture of the different Classes in the Gaol of Blankets, Bedsteads, Prison Dresses, Bed Tickens ; I do therefore since last Inspection ; viz. and the following Articles appear to be deficient, from unavoidable Wear and Tear, direct the Local Inspector of the said Gaol to provide such deficient Articles at reasonable Prices, and to furnish an Account of the Expence thereof to the Collector of Excise at pursuant to an Act made in the Seventh Year of the Reign of King George the Fourth, intituled [*here set forth the Title of this Act.*]

Inspector General of Prisons.

SCHEDULE (C.)

ANNUAL RETURN of ARTICLES supplied for GAOLS, as ordered by the Inspector General of Prisons.

Description of Articles.	From whom purchased.	No. of Articles.	Amount of each.	Total Amount.
Blankets - - -				£ s. d.
Bed Tickers - - -				
Prison Dresses - - -				
Bedsteads - - -				
Cots - - -				
Total Amount - - -				£

A.B. Local Inspector of the Gaol at _____ came before me this Day, and made Oath, That the Articles above stated are a true Account of Articles ordered by the Inspector General of Prisons, for the Use of the said Gaol, pursuant to an Act made in the Seventh Year of the Reign of King George the Fourth, intituled [here set forth the Title of this Act,] and that the same were in on the best practicable Terms, and are charged at Cost Prices; and that no Profit is made on the Purchase thereof by him or by any other Person for his Use.

Sworn before me, this _____

Day of _____

Collector of Excise.

SCHEDULE (E).—FORM of ANNUAL

1. Number of Prisoners the Prison is capable of containing in separate Sleeping Cells.		2. Number of Prisoners the Prison is capable of containing where more than One Prisoner sleeps in One Cell.		3. Total Number of Prisoners.		4. Number of Debtors.		5. Number of Misdemeanants.		6. Number of Felons.		7. Number of Prisoners committed in the Course of the Year.		8. Number of Tried Prisoners.		9. Number of Untried Prisoners.		10. Number of Prisoners above 17 Years of Age.		11. Number of Prisoners under 17 Years of Age.	
				Mich' 18	Mich' 18	Male.	Female.	Male.	Female.	Male.	Female.			Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.
Note.—The Total of the Columns 4, 5, and of Column No. 8.; and the Aggregate																					
19.—Whether Common Gaol, House of Correction or Bridewell?																					
20.—Under whose Jurisdiction and Superintendence?																					
21.—Number of Officers, and how appointed?																					
22.—Number of Classes, Wards or Divisions, Work Rooms, Day Rooms and Airing Yards, and whether the same can be extended or increased?																					
23.—Dietary or other Weekly Allowance; and Weekly Cost per Head?																					
24.—Allowance of Clothing and Bedding and Cost per Head?																					
25.—Description of Employment and Hard Labour?																					
26.—Hours of Labour and of Exercise?																					
27.—Amount of Earnings, how applied, and in what Proportion to each Class of Prisoners, to the Officers of the Prison and to the Fund applicable to the Maintenance of the said Prison?																					
28.—Whether the Classification required by this Act has been observed? If not, For what Reasons; and what Measures have been taken to remedy this Defect?																					
29.—What Duties are performed by the Chaplain, what Provision made for Instruction, and whether Prisoners are supplied with Bibles and other Books?																					
30.—Attendance of the Surgeon, and whether separate Buildings or Apartments are provided for the Sick?																					
31.—Reasons for Non-employment of Prisoners, with reference to Column 15?																					
32.—Reasons for Punishments by Gaoler?																					
33.— <div><div>Is there any insane Person in Confinement</div><div>State his or her Name, Age, and for what Offence committed?</div><div>How long has he or she been in Confinement?</div><div>How long has he or she been insane?</div></div>																					
34.—General Observations.																					

C A P. LXXV.

An Act to explain an Act of the Fifty third Year of the Reign of His late Majesty, respecting the Enrolment of Memorials of Grants of Annuities. [31st May 1826.]

WHEREAS by an Act of Parliament made and passed in the Fifty third Year of the Reign of His late Majesty King George the Third, intituled *An Act to repeal an Act of the Seventeenth Year of the Reign of His present Majesty, intituled "An Act for registering the Grants of Life Annuities, and for the better Protection of Infants against such Grants,"* and to substitute other Provisions in lieu thereof; it is enacted, that within Thirty Days after the Execution of every Deed, Bond, Instrument or other Assurance, whereby any Annuity or Rent Charge shall, from and after the passing of the said Act, be granted for One or more Life or Lives, or for any Term of Years, or greater Estate, determinable on One or more Life or Lives, a Memorial of the Date of every such Deed, Bond, Instrument or other Assurance, of the Names of all the Parties, and of all the Witnesses thereto, and of the Person or Persons for whose Life or Lives such Annuity or Rent Charge shall be granted, and of the Person or Persons by whom the same is to be beneficially received, shall be enrolled in the High Court of Chancery, in the Form or to the Effect in the said Act stated, with such Alterations therein as the Nature and Circumstances of any particular Case may reasonably require: And Whereas it frequently happens that the Names of Witnesses to Grants of Annuities, or other Assurances, are unknown to the Grantees thereof, or their Solicitors or Agents, otherwise than as they appear by the Subscriptions of such Witnesses to the Attestations of the Execution of such Grants or Assurances, and it might greatly endanger the Validity of any such Assurance if any Name were inserted in the Memorial thereof, as the Name of any such Witness, in any other manner than as the same appears signed by such Witness as attesting the Execution of such Assurance: And Whereas a very great Number of Memorials of Grants of Annuities have since the passing of the said Act been enrolled, in which the Surnames of Witnesses to the Deeds, Instruments or Assurances specified in such Memorials, have been inserted, together with such Initial Letter or Abbreviation of the Christian Names of such Witnesses as appeared subscribed to the Attestation by such Witnesses of the Execution of such Deeds, Instruments or Assurances, without stating at full Length the Christian Names of such Witnesses: And Whereas Doubts have been entertained whether, according to the true Construction of the said Act, it is necessary to the Validity of any such Grant or other Assurance, that the Christian as well as Surnames of all the Witnesses to such Deed, Grant or other Assurance should be inserted in the Memorial thereof in any other manner than as the same may appear subscribed to the Attestation of such Deed, Grant or other Assurance by such Witnesses respectively; and in order to remove such Doubts, Be it enacted and declared by the King's most Excellent Majesty, by and with the Advice and Consent

53 G.S. c.141.

§ 2.

No further or other Names of Witnesses required in Memorial than appear in Deed.

sent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That by the said Act of the Fifty third Year of the Reign of His said late Majesty, no further or other Name or Names of the subscribing Witness or Witnesses to any Deed, Bond, Instrument or other Assurance, whereby any Annuity or Rent Charge is or may be granted, is or are required in the Memorial thereof, besides the Names of all such Witnesses as they shall appear signed to their Attestations respectively of the Execution of such Deed, Bond, Instrument or other Assurance; and so the said Act shall be deemed, construed and taken.

C A P. LXXVI.

An Act for further extending the Powers of an Act for vesting in Commissioners the Bridges building over the *Menai Straits* and the River *Conway*, and the Harbours of *Howth* and *Holyhead*, and the Road from *Dublin* to *Howth*, and for the further Improvement of the Road from *London* to *Holyhead*.
[31st May 1826.]

55 G.3. c.152.

§ 3.

59 G.3. c.48.

4 G.4. c.74.

6 G.4. c.100.

WHEREAS an Act was passed in the Fifty fifth Year of the Reign of His late Majesty *George* the Third, intituled *An Act for granting to His Majesty the Sum of Twenty thousand Pounds, to be issued and applied towards repairing Roads between London and Holyhead, by Chester, and between London and Bangor, by Shrewsbury*; and by the said Act certain Commissioners were appointed for carrying the same into Execution: And Whereas an Act was passed in the Fifty ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to amend an Act passed in the Fifty fifth Year of His present Majesty, for granting to His Majesty the Sum of Twenty thousand Pounds, towards repairing Roads between London and Holyhead, by Chester, and between London and Bangor, by Shrewsbury*; and for giving additional Powers to the Commissioners therein named, to build a Bridge over the *Menai Straits*, and to make a new Road from *Bangor Ferry* to *Holyhead* in the County of *Anglesea*: And Whereas an Act was passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act for vesting in Commissioners the Bridges now building over the Menai Straits and the River Conway, and the Harbours of Howth and Holyhead, and the Road from Dublin to Howth, and for the further Improvement of the Road from London to Holyhead*; and by the said Act certain Commissioners have been appointed for carrying the same into Execution, and various Powers have been given to the said Commissioners: And Whereas an Act was passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act to extend the Powers of an Act for vesting in Commissioners the Bridges building over the Menai Straits and the River Conway, and the Harbours of Howth and Holyhead, and the Road from Dublin to Howth, and for the further Improvement of the Road from London to Holyhead*: And Whereas it would be of great public Benefit if the Commissioners of His Majesty's Treasury were authorized to advance to the Commissioners for carrying into Execution the said Act of the Fourth Year

‘ Year of the Reign of His present Majesty such Sum of Money
 ‘ as is hereinafter mentioned, to enable them to make other Alter-
 ‘ ations and Improvements in the Line of the Road from *London*
 ‘ to *Holyhead*, hereinafter mentioned: May it therefore please
 ‘ Your Majesty that it may be enacted;’ And be it enacted by
 the King’s most Excellent Majesty, by and with the Advice and
 Consent of the Lords Spiritual and Temporal, and Commons, in
 this present Parliament assembled, and by the Authority of the
 same, That it shall and may be lawful to and for the said Com-
 missioners of His Majesty’s Treasury, or any Three or more of
 them, and they are hereby authorized, if they shall think proper
 so to do, on Application being made to them by the said Com-
 missioners for carrying into Execution the said recited Act of the
 Fourth Year of the Reign of His present Majesty, by Warrant or
 Warrants under their Hands to direct the Auditor of the Receipt
 of His Majesty’s Exchequer to make forth and pass Debentures
 from time to time, for issuing out of the growing Produce of the
 Consolidated Fund, to the said Commissioners for carrying into
 Execution the said Act of the Fourth Year of His present Majesty’s
 Reign, any Sum or Sums of Money not exceeding in the Whole
 the Sum of Thirty two thousand Pounds.

Treasury may
 advance
 32,000*l.* for the
 Purposes of
 this Act.

II. And be it further enacted, That upon any such Advance
 being made to the said Commissioners for carrying into Execution
 the said recited Act of the Fourth Year of the Reign of His pre-
 sent Majesty, the said lastmentioned Commissioners or any Three
 of them shall execute an Instrument in Writing, in such Form as
 the said Commissioners of His Majesty’s Treasury shall direct and
 appoint, in which Instrument the said Commissioners for carrying
 into Execution the said recited Act of the Fourth Year of the
 Reign of His present Majesty shall acknowledge the Receipt of
 the Money for the Time being advanced, and shall undertake to
 apply the Produce thereof in the Manner in which the same ought
 to be applied, in pursuance of the Directions hereinafter con-
 tained, and shall also undertake to pay the same and the Interest
 thereof when and as the same shall be received by them, under
 the Provisions hereinafter contained, into the Exchequer, to the
 Account of the Consolidated Fund, as hereinafter directed, and
 shall also undertake to put in force, if necessary, the several
 Powers and Remedies hereinafter given them for obtaining Pay-
 ment thereof.

Commissioners
 under
 4 G. 4. c. 74.
 to acknowledge
 such Advance,
 and undertake
 to apply same
 as herein di-
 rected.

III. And be it further enacted, That the Commissioners acting
 in execution of the said recited Act of the Fourth Year of the
 Reign of His present Majesty shall apply such Part as may be
 necessary of the Sum to be so advanced in the Manner following;
 (that is to say), any Sum not exceeding the Sum of Fourteen
 thousand Pounds in making and completing a new Cut or Piece
 of Road, leaving the present Road from *London* to *Holyhead* in
 the Town of *Barnet*, and falling into the same Road again at *South*
Mims, the same being within the Limits and District of the *Saint*
Albans Trust; any Sum not exceeding the Sum of Five thousand
 Pounds in making Alterations and Improvements in the Road from
London to *Holyhead* between *Old Stratford* and *Dunchurch*, the
 same being within the Limits and District of the *Dunchurch* and
Stratford Trust, and in repairing the new Pieces of Road which

Advances to be
 applied in
 making new
 Roads herein
 specified.

will be formed in making such Alterations and Improvements, for the Period of Two Years after the same shall have been completed; and any Sum not exceeding the Sum of One thousand Pounds in completing the new Cut or Piece of Road commencing at or near the *Peahen Inn* in the Town of *Saint Albans*, which said Cut or Piece of Road is within the Limits of the said *Saint Albans* Trust, and in repairing the same for the Period of Two Years after the same shall have been completed, and in making the new Branch or Communication Road directed to be made in lieu of *Kingsbury Lane*, in and by the said recited Act of the Sixth Year of the Reign of His present Majesty.

Surplus, if any, to be applied in making other Improvements within the same Trust.

IV. And be it further enacted, That in case it shall be found that any Sums which shall have been advanced in pursuance of the Directions hereinbefore contained by the said Commissioners of His Majesty's Treasury to the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, shall be more than is required for the Purposes for which the same shall have been advanced, the Surplus thereof shall be applied by the said lastmentioned Commissioners in making such other Improvements as they shall think proper on any Part of the said Road from *London* to *Holyhead* which shall be within the same Trust.

Powers of former Act extended to this, and also the Power of purchasing Lands.

V. And be it further enacted, That all the Powers and Authorities given by the said recited Act of the Fourth Year of the Reign of His present Majesty to the said Commissioners acting in execution thereof, either expressly or by reference to former Acts, and all the Clauses and Provisions therein mentioned, or such of the said Clauses and Provisions as are in any manner applicable to the Purposes of this Act, shall be and they are hereby extended, in such manner as that the said Commissioners acting in execution of the said lastmentioned Act shall be enabled to make the Alterations and Improvements hereinbefore directed to be made, and shall have all Facilities and Advantages for enabling them to make the same, as fully, amply and effectually, to all Intents and Purposes whatsoever, as if the same Powers, Authorities, Clauses and Provisions were repeated and re-enacted in and by this present Act with reference to the said Alterations and Improvements, and particularly that the said lastmentioned Commissioners shall have the same Power of taking and acquiring any Ground or Materials which may be required for the Purpose of making the said Alterations and Improvements, as in and by the said recited Act of the Fifty fifth Year of His late Majesty King *George* the Third is given to the Commissioners acting under that Act, of taking and acquiring any such Ground or Materials as may be necessary for repairing, altering, making or constructing the Roads in that Act mentioned or referred to; and all the Clauses and Provisions contained in the said recited Act of the Fifty fifth Year of the Reign of His late Majesty King *George* the Third, with respect to the taking or acquiring of any Ground or Materials to be so taken or acquired by the Commissioners acting under that Act, shall be and they are hereby extended and made applicable to the acquiring or taking, by the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, of any Ground or Materials which

which may be required for the Purpose of making the Alterations and Improvements hereinbefore mentioned.

‘ VI. And Whereas, for the Purpose of making several of the Alterations and Improvements hereinbefore directed to be made, it will be expedient and necessary to take down and remove the Houses described in the Schedule to this Act annexed, and to take and make use of the Gardens, Lawns, Orchards and Grounds attached to such Houses or specified and described in the said Schedule;’ Be it therefore further enacted, That it shall and may be lawful for the said Commissioners acting in execution of the said Act of the Fourth Year of the Reign of His present Majesty, to take down and remove all or any of the Houses described in the said Schedule to this Act annexed, and also to take and make use of any of the Gardens, Lawns, Orchards or Grounds attached to such Houses so described in the said Schedule, if they shall deem it necessary or expedient to remove, take or make use of the same for the Purpose of making the Alterations and Improvements in this Act mentioned; but the said lastmentioned Commissioners, previously to their removing or taking any such Houses, Gardens, Lawns, Orchards or Grounds, shall give Six Months Notice in Writing to the Occupier or Occupiers thereof of their Intention so to do, and shall also first make such Satisfaction to the Owner or Owners, Occupier or Occupiers of such House or Houses, Gardens, Lawns, Orchards or Grounds as shall be agreed upon between him, her or them and the said lastmentioned Commissioners, or as shall be ascertained by a Jury in the Manner hereinafter directed.

Power to take down Houses in Schedule, on giving Notice, and tendering Satisfaction to be ascertained by a Jury if necessary.

VII. Provided always, and be it further enacted, That if any of the Houses mentioned and described in the said Schedule to this Act, or any of the Persons in whose Possession or Occupation the same or any Part thereof are or is stated or described to be, shall happen to be omitted, misnomered or inaccurately described, then and in such Case, if it shall appear to any Two or more of His Majesty’s Justices of the Peace for the County, City or Place wherein the same shall be situated, and be certified by Writing under their Hands, that such Omission, Misnomer or inaccurate Description proceeded from Mistake, shall not prevent or retard the Execution of this Act, but the same Premises and every Part thereof shall and may be purchased and sold, or assessed and valued, in manner herein mentioned, and conveyed, disposed of, and applied to and for the Purpose of making the Alterations and Improvements hereinbefore mentioned, as fully and effectually as if the same was or were properly named and described in the said Schedule.

Provision against Error in Description of Houses.

VIII. And be it further enacted, That it shall and may be lawful for all Bodies Politic, Corporate or Collegiate, whether Ecclesiastical or Civil, and for all Corporations Aggregate or Sole, and for all Tenants in Fee Simple and in Fee Tail, whether General or Special, and for all Tenants for Life or for Years determinable on any Life or Lives, whether their respective Estates shall be in Possession, Reversion, Remainder, Expectancy, Contingency or otherwise, and for all Husbands, Guardians, Trustees and Feoffees in Trust for charitable or other Purposes, Committees, Executors and Administrators, and all other Trustees and Persons whom-

Bodies Politic and incapacitated Persons empowered to sell.

soever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons, and for all Femes Covert who are or shall be seised or possessed of or interested in their own Right, or entitled to Dower or other Interest therein, and for all other Persons whomsoever who are or shall be seised, possessed of or interested in any of the said Houses specified in the Schedule to this Act annexed, or any of the Gardens, Lawns, Orchards or Grounds attached to such Houses, or specified and described in the said Schedule, to contract for, lease, sell and convey the same, or any Part thereof, to the said Commissioners acting under the said recited Act of the Fourth Year of the Reign of His present Majesty : and all such Contracts, Agreements, Leases, Sales, Conveyances and Assurances shall be made at the Expence of the said Commissioners, and shall be kept by the Clerk or Clerks to the said Commissioners, who shall from time to time, when requested, deliver Attested Copies thereof to any Person or Persons interested therein, requiring the same, and shall have and receive Sixpence for every One hundred Words of each such Attested Copy, and so in proportion for any less Number of Words ; and every such Contract, Agreement, Lease, Sale, Conveyance and Assurance, shall be valid and effectual to all Intents and Purposes whatsoever ; any Law, Statute, Usage or Custom to the contrary thereof in anywise notwithstanding.

Attested Copies
to be delivered.

Satisfaction to
be made for
Houses, &c.
taken.

IX. Provided always, and be it further enacted, That all and every Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, and Tenant and Tenants for Life, and Tenant and Tenants in Fee Simple or Fee Tail, General or Special, or for Years determinable on any Life or Lives, whether in Possession, Remainder, Reversion, Expectancy or otherwise, and all Feoffees in Trust, Executors, Administrators, Femes Covert, Husbands, Guardians, Committees, Trustees, and all and every other Person or Persons who is, are or shall be seised, possessed of or interested in any of the said Houses, Gardens, Lawns, Orchards or Grounds, may accept and receive Satisfaction for the Value of such Houses, Gardens, Lawns, Orchards or Grounds, or for any Damage to be occasioned thereto ; and in case the said Parties interested or any of them, and the said Commissioners, cannot agree as to the Amount of such Satisfaction, the same shall be settled and ascertained as is hereinafter directed.

If Parties dis-
satisfied, a Jury
to be impan-
nelled to decide
the Matter.

X. Provided always, and be it further enacted, That if any such Body Politic, Corporate or Collegiate, or any Feoffee or Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Trustees, Committee or any Feme Covert, or any other Person or Persons so interested or entitled as aforesaid, or claiming to be so interested or entitled as aforesaid, cannot agree with the said Commissioners acting under the said recited Act of the Fourth Year of the Reign of His present Majesty, respecting the Purchase of the said Houses, Gardens, Lawns, Orchards or Grounds, or respecting the Compensation to be made for any Damages to be occasioned thereto, and shall give Notice in Writing to the Clerk of the said Commissioners, requiring a Jury to be summoned for the Purpose of determining such Purchase or Compensation, or if
any

any Body Politic, Corporate or Collegiate, or any Person or Persons so interested or entitled as aforesaid, or claiming to be so interested or entitled as aforesaid, shall, upon Notice in Writing given by the Clerk of the said Commissioners to the principal Officer of any such Body Politic, Corporate or Collegiate, or to such Feoffee or Feoffees in Trust, Executors, Administrators, Husband, Guardian, Trustee, Committee or other Person or Persons so interested or entitled as aforesaid, or claiming to be so interested or entitled as aforesaid respectively, or left at the last or usual Place or Places of his, her or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of Houses or other Hereditaments to be made use of for the Purposes aforesaid, for the Space of Twenty one Days next after such Notice, neglect or refuse to treat, or shall not agree with the said Commissioners, or cannot be found, or by reason of Absence or otherwise shall be prevented from treating, or through Disability by Non-age, Coverture or other Impediment, cannot treat for themselves, or make such Agreement or Agreements as shall be necessary for the Purposes aforesaid, or shall not within the before mentioned Space of Twenty one Days produce and fully disclose the State of the Title to the Premises which he, she or they respectively may be possessed of, or claim to be entitled to or interested in, or shall not within the before mentioned Space of Twenty one Days be able to make a good Title, to the Satisfaction of the said Commissioners, to the Premises which he, she or they may be so interested in or entitled to, or may claim to be so interested in or entitled to, then and in every such Case the said Commissioners shall, and they are hereby empowered and required, within Ten Days after the Receipt of such Notice by the Clerk of the said Commissioners, in case Security in manner herein required shall be given, or after the Expiration of Twenty one Days after the Delivery of such Notice by the said Clerk (as the Case may be), to issue a Warrant under their Hands, directed to the Sheriff or Under Sheriff of the County, City or Place wherein such Houses, Gardens, Lawns, Orchards or Grounds shall be situate, and in case the said Sheriff or his Under Sheriff shall be interested in the Matter in question, then to any One of the Coroners of the County who shall not be interested as aforesaid, and in case all the said Coroners of the County shall be so interested as aforesaid, then to the last Person or Persons who filled the Office of Sheriff of the County, City or Place wherein such Houses, Gardens, Lawns, Orchards or Grounds shall be situate, who shall not be interested as aforesaid, commanding such Sheriff, Under Sheriff, Coroner or such other Person, to impanel, summon and return a Jury; and the said Sheriff, Under Sheriff, Coroner or such other Person or Persons, is and are hereby required accordingly to impanel, summon, and return a Jury of Twenty four honest, sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for the Trials of Issues at the Assizes, to appear before the Sheriff, Under Sheriff, Coroner or such other Person or Persons, at such Time and Place as in such Warrant shall be appointed, such Time not being less than Twenty one or more than Twenty eight Days after such Warrant shall be served upon the said Sheriff, Under Sheriff, Coroner or such other Person or Persons; and Fourteen Days Notice at least, in Writing under

Sheriff, &c. to
summon a
Jury.

the Hands of the Commissioners, or any Five or more of them; is hereby required to be given to such Owners, Proprietors, Occupiers, Corporations, Trustees or any other Person or Persons as aforesaid, interested or claiming to be interested in any such Houses or other Hereditaments, or to be left at the respective Dwelling Houses or Places of Abode of such Person or Persons, or of the Head Officer or Officers of such Corporation, or at the House of the Tenant in Possession of such Houses or other Hereditaments, of the Time and Place of the said Jury being so impannelled, summoned and returned; and the said Sheriff, Under Sheriff, Coroner or such other Person or Persons, is and are hereby required, out of the Persons so impannelled, summoned and returned, or out of such of them as shall appear upon such Summons, to swear or cause to be sworn Twelve, who shall be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen, the said Sheriff, Under Sheriff, Coroner or such other Person or Persons, shall return other honest, sufficient and indifferent Men of the Stangers-by, or that can speedily be procured to attend that Service (being qualified as last aforesaid), to make up the said Jury to the Number of Twelve; and it shall and may be lawful for all Persons concerned, by themselves, their Counsel and Solicitors, to attend and be heard, and to adduce Evidence before the said Sheriff, Under Sheriff, Coroner or such other Person or Persons respectively; and such Persons shall also have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Sheriff, Under Sheriff, Coroner or such other Person or Persons, is and are hereby required, by a Summons or Notice to be signed by such Sheriff, Under Sheriff, Coroner or such other Person or Persons, either previous to or at the Time of any such Meeting or Meetings, to call before them all and every Person or Persons who shall be thought necessary and proper to be examined as a Witness or Witnesses upon Oath touching and concerning the Premises; and the said Sheriff, Under Sheriff, Coroner or such other Person or Persons, may order and authorize the said Jury, or any Three or more of them, to view the Place or Places, or Matter or Matters in question, if there be Occasion, or to use all other lawful Ways and Means, as well for his and their own as for the Jury's better Information in the Premises, as the said Sheriff, Under Sheriff, Coroner or such other Person or Persons shall think fit; and the said Jury shall upon their Oaths, which Oaths, as well as the Oaths to such Person or Persons as shall be called upon as Witnesses, the said Sheriff, Under Sheriff, Coroner or such other Person or Persons, is and are hereby empowered and required to administer, inquire of and ascertain the Sum of Money to be paid for the Purchase of such Houses or other Hereditaments, or as Compensation for the Damages to be occasioned thereto, as the Case may require; and after the said Jury shall have inquired of and ascertained and settled the Amount of such Purchase Money or Compensation, the said Sheriff, Under Sheriff, Coroner or such other Person or Persons, shall thereupon order the Sum or Sums of Money so assessed by the said Jury to be paid by the said Commissioners for the Purchase of such Houses or other Hereditaments, or as a Compensation for the Damages to be

Challenge.

Examinations
upon Oath.

be occasioned thereto, according to such Verdict or Inquisition of the said Jury, and shall give Judgment for such Purchase Money or Compensation Money; which said Judgment shall specify the Hereditaments in respect of which the same shall be given, and shall be signed by the said Sheriff, Under Sheriff, Coroner or such other Person or Persons, and shall be final, binding and conclusive, to all Intents and Purposes, upon and against all Parties and Persons whomsoever claiming any Estate, Interest or Trust in Fee Simple or Fee Tail, for Life or Lives in Possession, Reversion, Remainder or Expectancy, or otherwise, their Heirs, Successors, Executors and Administrators, Infants, Issue unborn, Females Covert, Persons beyond the Seas and under any other Disability whatsoever, Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as all other Persons whomsoever, and shall not be removed by Certiorari or other Process into any of His Majesty's Courts of Record at *Westminster*, or any other Court, any Law or Statute to the contrary thereof notwithstanding; and after any Verdict and Judgment shall have been found and given for the Sum to be paid by the said Commissioners for the Purchase of any of the aforesaid Houses, Gardens, Lawns, Orchards or Grounds, no Person or Persons, or Body or Bodies Corporate whatsoever, shall be at liberty to question or dispute the Propriety or Validity thereof, or to inquire whether the Notices hereby required to be given were or not properly and duly given, or whether any of the other requisite Terms were or not properly complied with, or whether the Jury by whom such Verdict was found or not properly summoned, impanelled and constituted, or whether the said Judgment was or not given and signed by the proper Officer, or whether the Circumstances of the Case were such as made it necessary or proper for such Verdict and Judgment to be found and given, but the several Matters aforesaid shall be inquired into and ascertained by the Officer by whom such Judgment shall be signed, before the same shall be signed.

Verdict of
Jury final.

To be signed
by Officer.

Interest of particular Tenants
to be valued.

XI. And be it further enacted, That in all Cases where a Jury shall, under the Provisions herein contained, assess the Sum or Sums of Money to be paid for the Purchase of or as a Compensation for Damages occasioned to any Houses or other Hereditaments, in which any Person or Persons shall have a particular Estate, Term or Interest, the said Jury shall, by their Verdict, settle what Share or Shares of such Sum or Sums of Money shall belong to such Person or Persons in respect of such particular Estate, Term or Interest.

XII. Provided always, and be it further enacted, That all and every Body or Bodies, and Person or Persons, requesting a Jury to be summoned as aforesaid, shall, before the said Commissioners shall issue their Warrant for that Purpose, enter into a Bond with Two sufficient Sureties to the Clerk of the said Commissioners, in a Penalty of Two Hundred Pounds, with a Condition to bear and pay the Costs and Expences of summoning such Jury and taking such Verdict, in Case he, she or they shall be liable to bear and pay the same under the Provisions hereinafter contained.

Persons requiring a Jury, to
give Security.

Penalty.

XIII. And be it further enacted, That if any Sheriff, Under Sheriff, Coroner or such other Person, so directed to impanel, summon

Sheriff or other
Officer for
Neglect;

Penalty. summon and return a Jury as aforesaid, or his Deputy or Agent, shall make default in the Premises, he shall for every such Offence forfeit and pay the Sum of Twenty Pounds, to be recovered by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*, by the said Commissioners, or by such Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, or any other Person or Persons interested in the Matter in question; and if any Person so impannelled, summoned and returned, as aforesaid, upon such Jury, shall not appear, without some reasonable Excuse, or appearing shall refuse to be sworn on the said Jury, or being so sworn shall refuse to give or shall not give his Verdict, or shall in any other manner wilfully neglect his Duty therein, contrary to the true Intent and Meaning of this Act, he shall be liable and subject to the same Regulations, and to the same Pains and Penalties for such Default, as if he had been impannelled, summoned and returned for the Trial of any Issue at the Assizes; and if any Person so summoned and required to give Evidence before the said Jury touching the Premises, after having been paid or tendered a reasonable Sum for his, her or their Costs and Expences, shall neglect or refuse to appear, or shall not allege a sufficient Excuse to the said Sheriffs, Under Sheriffs, Coroner or such other Person or Persons, for not appearing, or appearing shall refuse to be sworn or examined or to give Evidence, then and in every such Case every such Person so offending, upon Proof thereof made before One of His Majesty's Justices of the Peace for the County in which the Matter or Question shall arise, upon the Oath of One or more credible Witness or Witnesses, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, according to the Discretion of the said Justice.

Penalty. **Perjury.** XIV. And be it further enacted, That every Person who, in any Examination to be taken upon Oath by virtue of this Act, shall wilfully and corruptly give false Evidence or otherwise forswear himself or herself before any such Jury, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of Perjury are by the Laws in being subject and liable to.

No Claim for Damage to be sustained, unless Notice given. XV. And be it further enacted, That the said Commissioners shall not be obliged or allowed by virtue of this Act to receive or take notice of any Claim or Claims, Complaint or Complaints to be made by any Person or Persons whomsoever, for any Injury or Damage by him, her or them sustained, or supposed to be sustained, unless Notice shall have been given thereof, by or on behalf of such Person or Persons, to the Clerk of the said Commissioners, within the Space of Six Calendar Months next after the Time that such supposed Injury or Damage shall have been sustained, or the doing or committing thereof shall have ceased.

Expences of Jury and Witnesses, by whom to be paid. XVI. And be it further enacted, That in each and every Case where a Verdict shall be given for more Money as a Recompence or Satisfaction for the absolute Sale of any of the said Houses, Gardens, Lawns, Orchards and Grounds, or as a Compensation for any Damages done or to be done thereto, than had been previously offered by or on behalf of the said Commissioners; or where any

Verdict shall be found for any Damages where the Dispute is for Damages only, and where no Compensation, or a smaller Sum than shall be given by such Verdict, shall have been previously offered or tendered in respect thereof, by or on behalf of the said Commissioners; or where, by reason of Absence in Foreign Countries or other Impediment or Disability as aforesaid, there shall not be found any Person or Persons at hand who shall be legally capacitated to enter into a Contract with, and make Conveyances to, and receive Compensation from the said Commissioners, as hereinbefore mentioned; then and in all such Cases all the Expence of impannelling, summoning and returning such Jury, and taking such Verdict, shall be settled by the said Sheriff, Under Sheriff, Coroner or such other Person or Persons so impannelling, summoning and returning such Jury and taking such Verdict as aforesaid, and be defrayed by the said Commissioners; but if any Verdict shall be given for the same Sum as had been previously offered by or on behalf of the Commissioners, or for a less Sum than had been so previously offered, or for Damages not exceeding Forty Shillings; or in Case no Verdict for Damages shall be given where the Dispute is for Damages only, or in case of such Refusal or Neglect to enter into Treaty with or make Conveyances to or receive Compensation from the said Commissioners; or in case the Person or Persons claiming to be entitled to or interested in any of the said Houses, Orchards, Gardens, Tenements or Hereditaments, shall not be able to make out a sufficient Title thereto; then and in all such Cases (except where by reason of Absence or otherwise any Person or Persons shall have been prevented from treating or agreeing as aforesaid), then such Costs and Expences of impannelling, summoning and returning such Jury and taking such Verdict, shall be borne and paid by the Body or Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, or other Person or Persons as aforesaid, and deducted out of the Sum or Sums so assessed or adjudged; and the Payment or Tender or Deposit of the Remainder of such Sum or Sums shall be deemed and taken to all Intents and Purposes to be a Payment or Tender or Deposit of the whole Sum or Sums so assessed and adjudged; and in case no Damages shall be given by such Verdict when the Dispute is for Damages only, or if the Damages given shall be insufficient for the Purpose of defraying such Costs and Expences, then such Costs and Expences, after having been so ascertained and settled as aforesaid, shall and may be recovered by the said Commissioners, by such Ways and Means as are herein provided for the Recovery of any Penalty or Forfeitures imposed by this Act.

XVII. And be it further enacted, That upon Payment or legal Tender of the Sum or Sums of Money which shall have been contracted and agreed for between the Parties, or which shall have been assessed and adjudged as aforesaid, to be the Sum or Sums of Money to be paid by the said Commissioners for the Purchase of any of the said Houses, Gardens, Lawns, Orchards or Grounds, or as a Compensation for Damages to be occasioned thereto, to the Proprietor or Proprietors thereof, or to such other Person or Persons as shall be interested therein or entitled to receive such Purchase Money, or his, her or their Agent or Agents, at any

Lands, &c. to be vested in Commissioners, on Payment or Tender of Value.

Time

Time after the same shall have been actually so agreed for or adjudged, or upon depositing the same in the Bank of *England*, in manner hereinafter directed, it shall and may be lawful for the same Commissioners, and their Agents, Servants and Workmen, immediately to enter upon the Houses or other Hereditaments, in respect of which such Sum or Sums of Money shall have been so paid, tendered or deposited, together with the yearly Profits thereof; and in case such Sum or Sums shall have been so paid, tendered or deposited, for the Purchase of such Houses or other Hereditaments, then and immediately upon such Payment, Tender or Deposit being made, the Fee Simple and Inheritance of the same Houses or other Hereditaments shall become vested in the said Commissioners, and all other Estates, Uses, Trusts and Interests whatsoever of and in such Houses or other Hereditaments, shall immediately cease, determine and be void.

Verdicts and
Judgments to
be recorded.

XVIII. And be it further enacted, That the said Judgments and Verdicts so given shall be transmitted to and be kept by the respective Clerks of the Peace, or other Person or Persons having the Custody of the Records of the Quarter Sessions of the County where such Verdict shall have been given, and shall be deposited with and be deemed Records of such Quarter Sessions respectively to all Intents and Purposes, and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever, and all Persons shall have liberty to inspect the same, paying for such Inspection the Sum of One Shilling, or to have Copies thereof, paying for every Copy the Sum of Sixpence for every Seventy two Words, and so in proportion for any greater or less Number of Words.

Application of
Compensation
Money amount-
ing to or ex-
ceeding 200*l*.

XIX. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any of the said Houses, Gardens, Lawns, Orchards or Grounds, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or any other Person or Persons under any other Disability or Incapacity, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the Court of Exchequer, to be placed to his Account there, *ex parte* the Body Corporate or Person or Persons to whom the same shall belong, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Body Corporate or other Person or Persons who would have been entitled to the Rents and Profits of the said Houses, Gardens, Orchards, Tenements or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Houses, Gardens, Orchards,

1 G.4. c.35.

Tenements or Hereditaments, or affecting Lands, Tenements or Hereditaments standing settled therewith, to the same or the like Uses, Intents or Purposes; or where such Money shall not be applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents and Purposes, and in the same Manner as the Houses, Gardens, Orchards, Tenements and Hereditaments, which shall be so purchased, taken or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance or Settlement shall be existing undetermined or capable of taking effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court of Exchequer upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from time to time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Houses, Gardens, Orchards, Tenements and Hereditaments so to be purchased under the Authority of this Act, in case such Purchase or Settlement was made.

XX. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any of the said Houses, Gardens, Orchards, Tenements or Hereditaments, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Houses, Gardens, Orchards, Tenements or Hereditaments, or of his, her or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, to be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and to be placed to his Account as aforesaid, in order to be applied in manner hereinbefore directed; or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Three or more of the said Commissioners for executing the said Act of the Fourth Year of the Reign of His present Majesty, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such Principal Money and the Dividends arising thereon may be applied in manner hereinbefore directed, as far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Application of
Compensation
Money when
less than 200*l*.
and exceeding
20*l*.

XXI. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next beforemen-
tioned

Application
where less
than 20*l*.

tioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Houses, Gardens, Tenements or Hereditaments, in such manner as the said Commissioners for executing the said recited Act of the Fourth Year of the Reign of His present Majesty shall think fit, and in case of Infancy or Lunacy, then to his, her or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out a good Title, &c. the Money to be paid into the Bank.

XXII. And be it further enacted, That in case a good Title cannot be made to any of the Houses, Orchards, Gardens, Lawns or Grounds, for the Purchase of which, or as a Compensation for Damages occasioned for which, any Sum or Sums of Money shall be assessed and adjudged as aforesaid, or in case the Person or Persons entitled thereto cannot be found, or shall not be known or discovered, or shall refuse to accept the same, then and in every such Case it shall be lawful for the said Commissioners to order the said Sum or Sums of Money so awarded as aforesaid to be deposited in the Bank of *England*, in the Name and with the Privy of the Accountant General of the Court of Exchequer, to be placed to his Account, to the Credit of the Parties interested in the said Houses or other Hereditaments, if known, and if not known, then to the Credit of the said Commissioners, subject to the Order, Controul and Disposition of the said Court of Exchequer; and the Person or Persons who previous to the Payment of such Sum or Sums of Money into the Bank of *England* was or were interested in or entitled to the Houses or other Hereditaments for which the same was or were assessed or adjudged, shall have the same Title and Interest to and in such Sum or Sums of Money as he, she or they had in the said Houses or other Hereditaments, for the Purchase of which, or for Damages to which, the same was or were assessed, or as near thereto as the Nature and Quality of the different Properties will allow; and the said Court of Exchequer, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of proceeding or otherwise, as to the said Court shall seem fit, to order the same to be laid out and invested in the Public Funds, and order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive any Sum or Sums of Money under or in pursuance of this Act, is and are hereby required to give a Receipt or Receipts to the Person or Persons paying the same, specifying the Sum or Sums received, and for or in respect of what Houses or other Hereditaments the same shall be paid, and to whose Credit the same is to be placed.

In case of disputed Titles, &c. Persons in Possession to be deemed entitled.

XXIII. Provided always, and be it further enacted, That where any Dispute shall arise touching the Title of any Person or Persons to any Money to be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the Court

Court of Exchequer, in pursuance of this Act, for the Purchase of or as Satisfaction for Damages occasioned to any Houses or other Hereditaments, or any Estate, Right or Interest in any Houses or other Hereditaments to be purchased, taken or used in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in possession of such Houses or other Hereditaments at the Time when the same were taken or entered upon by the said Commissioners, and all Persons claiming under such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and all the Capital of such Bank Annuities, shall be paid, applied and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Houses or other Hereditaments, or to some Estate or Interest therein.

XXIV. Provided always, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Body or Bodies Politic or Corporate, entitled to any Lands, Tenements or Hereditaments to be purchased, taken or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, and be applied in the Purchase of other Lands, Tenements or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court of Exchequer to order the Expences of all Purchases from time to time to be made in pursuance of this Act, or so much of such Expences as the Court shall deem reasonable, to be paid out of the Purchase Money to be so paid into the Bank of *England*.

Court may order reasonable Expences to be paid out of Trust Monies.

XXV. And be it further enacted, That where the Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, shall have purchased or shall be possessed of any Pieces of Ground not wanted for the Purposes of this Act, it shall and may be lawful for the said Commissioners, or any Five or more of them, to sell and dispose of the same; provided always, that the said Commissioners, before they shall sell and dispose of any such Piece or Pieces of Ground not wanted for the Purposes aforesaid, to any other Persons or Person, shall first offer the same to the Owner or Proprietor of the Lands adjacent thereto; and if such Owner or Proprietor shall then and thereupon refuse or shall not agree (except with respect to or on account of the Price thereof) to purchase the same respectively, on an Affidavit being sworn before a Master or a Master Extraordinary in Chancery, or before One of His Majesty's Justices of the Peace for the County, Liberty or Place where such Ground is situate, (who are hereby respectively empowered to take such Affidavit,) by some Person or Persons no Way interested in the said Piece or Pieces of Ground, stating that such Offer was made by or on behalf of the said Commissioners, and that such Offer was then and thereupon refused or was not agreed to by the Owner

Power of selling Land not wanted.

Owner or Proprietor to whom the same was made, such Affidavit shall in all Courts whatsoever be sufficient Proof and Evidence that such Offer was made and was refused or not agreed to by the Owner or Proprietor to whom such Offer was made (as the Case may be); and in case such Owner or Proprietor respectively shall be desirous of purchasing such Piece or Pieces of Ground, and he, she or they and the said Commissioners shall differ and not agree with respect to the Price thereof, then the Price or Prices thereof shall be ascertained by a Jury in the Manner hereinbefore directed with respect to disputed Value of Premises to be taken and used by the said Commissioners, and the Expence of hearing and determining such Difference shall be borne and paid in manner hereinbefore directed with respect to Purchases made by the said Commissioners; and the Money to arise by the Sale or Sales of such Piece or Pieces of Ground shall be applied by the said Commissioners towards the Purposes of this Act, but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Misapplication or Nonapplication of such Money; and no Conveyance of such Piece or Pieces of Ground to the Purchaser or respective Purchasers thereof shall be necessary, but the Receipt or Receipts of the Commissioners for the Time being acting in the Execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, or any Five of them, for such Purchase Money or Purchase Monies, shall vest the Fee Simple and Inheritance of such Piece or Pieces of Ground in the Purchasers thereof, and shall be deemed equivalent to a formal Conveyance thereof.

Commissioners
required to
make Contracts
for making the
Improvements.

XXVI. And be it further enacted, That the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty shall and may and they are hereby empowered and required to make such Contracts and Agreements as they shall think proper, with skilful Persons and their Sureties, for the carrying on, making and completing of the Alterations and Improvements hereinbefore mentioned, and to appoint such Person or Persons as they shall think proper, who shall from time to time, under such Regulations as the said Commissioners shall direct, draw for the necessary Sums to defray the Expences thereof; and all the said Alterations and Improvements hereinbefore directed to be made and completed on the said Roads shall be done by Contract, and in no other Way whatsoever.

Contracts to be
submitted to a
Committee of
Trustees of the
Road.

XXVII. Provided always, and be it further enacted, That a Copy of every such Contract, and the Terms thereof, shall be submitted, by the said Commissioners acting in the Execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, to a Committee of not exceeding Five in Number of the Trustees or Commissioners within whose Limits or Districts the Work specified in such Contract is to be performed, which Committee such Trustees and Commissioners are hereby respectively empowered and required to elect and appoint.

New Roads to
be repaired by
Commissioners of
4 G.4. for Two

XXVIII. And be it further enacted, That every new Piece of Road which shall be made under the Provisions hereinbefore contained shall be opened to the Public as soon as the same shall be completed, and shall for the Period of Two Years after the
same

same shall have been completed and opened to the Public be repaired, maintained and supported by and under the Care and Superintendence of the said Commissioners acting in the Execution of the said recited Act of the Fourth Year of the Reign of His present Majesty; and after the Expiration of the said Period of Two Years, every such new Piece of Road shall be deemed and taken to be, and shall become, to all Intents and Purposes, a Part of that Road to which the said old Road, or Part of a Road, in lieu of or for the Improvement of which such new Piece of Road shall have been made, did belong before the making of such new Piece of Road, and shall be vested in the Trustees or Commissioners in whom such old Road or Part of a Road shall have been vested, and shall be maintained and repaired by them, and shall be subject to all such Trusts, and to all such Acts of Parliament, and to all such Provisions contained in any Act or Acts of Parliament, as such old Road or Part of a Road shall have been subject to immediately before the Expiration of the said Period of Two Years.

Years, and then
to become Part
of old Road.

XXIX. And be it further enacted, That it shall and may be lawful for the said Trustees of *Saint Albans* Trust, and they are hereby authorized and required, when and as soon as the said new Road commencing at *Barnet* and extending from thence to *South Mims* shall be completed and opened to the Public, to cause a Toll Gate or Bar and Side Gates, with Toll Houses, to be erected and set up on or by the Side of such Part or Parts of the said last-mentioned new Road, as to them shall be most convenient; and it shall and may be lawful for the said lastmentioned Trustees, and they are hereby authorized, empowered and required, when and as soon as such Toll Gate and Bar and Side Gates and Toll Houses shall be completed, to take, demand and collect of the Person or Persons attending any Horses, Cattle or Carriages passing along the lastmentioned new Road, and through the said Toll Gate or Bar or Side Gates, before any Horse or Carriage shall be permitted to pass through the same, the Tolls following; that is to say,

Power to the
Trustees of
Saint Albans
Trust to take
Tolls.

For every Coach, Landau, Chariot, Barouche, Chaise, Post Chaise, Calash, Chair, Caravan, Hearse, or other such like Carriage, drawn by more than Four Horses or other Beasts of Draught, the Sum of Two Shillings; and drawn by Four Horses or other Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Three Horses or other Beasts of Draught, the Sum of One Shilling; and drawn by Two Horses or other Beasts of Draught, the Sum of Nine Pence:

For every Chaise, Post Chaise or Chair, drawn by One Horse or other Beast of Draught, the Sum of Two Pence.

For every Waggon or other such like Carriage, drawn by Five or more Horses or other Beasts of Draught, the Sum of One Shilling; and drawn by Four Horses or other Beasts of Draught, or any less Number, the Sum of Nine Pence:

For every Cart, Dray or other such like Carriage, drawn by Four Horses or other Beasts of Draught, or any greater Number, the Sum of Sixpence; and drawn by Three Horses or other Beasts of Draught, the Sum of Four Pence; and drawn by Two Horses or other Beasts of Draught, the Sum of Three Pence;

and drawn by One Horse or other Beast of Draught, the Sum of One Penny :

For every Jockey Cart or Taxed Cart, drawn by Two Horses or other Beasts of Draught, the Sum of Four Pence ; and drawn by One Horse or other Beast of Draught, the Sum of Two Pence : For every Horse, Mare, Gelding, Mule or Ass, laden or unladen, and not drawing, the Sum of One Penny :

Tolls to be paid but once a Day, except for Stage Coaches and Caravans.

Provided always, that no more than One Toll shall be demanded or taken from any Person or Persons for passing and repassing on the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock of the next succeeding Night, with the same Horse, Beast and Carriage, through the Toll Gate or Turnpike to be erected by virtue of this Act upon the said lastmentioned new Road, (save and except from Stage Coaches and Caravans travelling for Hire, which shall pay each and every Time of passing along the said Road).

Application of Tolls collected by the Saint Albans Trust in the new Line of Road.

XXX. And be it further enacted, That the said Trustees of the *Saint Albans* Trust shall apply and dispose of the Tolls to be collected by them in the said new Line of Road commencing at *Barnet* and extending from thence to *South Mims*, under the Authority of this Act, in manner following ; that is to say, One Fourth Part of the Amount of the said Tolls shall be applied in repairing and maintaining the said lastmentioned new Road, and of the other Roads within *Saint Albans* Trust, and all the Rest, Residue and Remainder of the Amount of the said lastmentioned Tolls, after deducting the Expences of collecting and receiving the same, shall be annually accounted for and paid over by the said Trustees of the *Saint Albans* Trust to the Commissioners acting in the Execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, until the Amount of the Sum or Sums to be advanced under the Provisions of this Act, and applied in completing and repairing the said lastmentioned new Piece of Road, together with Interest for the same after the Rate of Four Pounds *per Centum per Annum*, to be computed on the said Sum or Sums from the Time of advancing the same, shall have been paid off and discharged, the said Interest of Four Pounds *per Centum per Annum* on so much of the said Principal Sum or Sums so to be advanced as aforesaid as shall from time to time remain due to be in the first Place paid ; and the Balance which shall from time to time arise from the said Tolls shall be applied, so far as the same may extend, in discharge of the said Principal Sum or Sums so to be advanced as aforesaid ; and when and as soon as the said Principal Money, together with the Interest thereon, shall be fully paid off and discharged, the said Trustees of the *Saint Albans* Trust shall and they are hereby authorized and required to reduce the said Tolls to One Half Part of the Amount hereinbefore directed to be taken and collected by them ; and from thenceforth the said Trustees shall collect and receive such reduced Tolls, and after paying the Expences of collecting and receiving the same, shall lay out and apply the Residue thereof in and towards the future Repairs and Maintenance of the whole Line of Road, extending from the Town of *Barnet* to a certain Place beyond *Saint Albans* called *The Pond Yards*.

XXXI. And

XXXI. And be it further enacted, That all the said Tolls hereby authorized to be taken, collected and received by the said Trustees of the *Saint Albans* Trust on the said new Road commencing at *Barnet* and extending to *South Mims* as aforesaid, shall and may be demanded, taken, collected and recovered by the said Trustees, by and under all such and the like Powers, Authorities, Provisions and Remedies as the Tolls now are demanded, taken, collected and recovered on the Road now under the Management of the said Trustees; and all and every Act of Parliament, and all Clauses, Exemptions, Penalties, Forfeitures and Provisions relating to the said lastmentioned Road, and to the Tolls taken thereon, shall be in full Force, Operation and Effect, as far as the same severally apply with respect to the said new Road, and the Tolls hereby authorized to be taken thereon, shall be exercised and put in force by the said Trustees of the *Saint Albans* Trust, as fully and effectually as if the same were repeated and enacted in and by this Act, with relation to the said new Road and the Tolls hereby authorized to be collected thereon.

Tolls may be levied on the new Line of Road as other Tolls.

XXXII. Provided always, and it is hereby further enacted, That it shall and may be lawful to and for the Trustees of the *Saint Albans* Trust, and they are hereby authorized and empowered, if they should think it expedient, to take, demand, recover and levy the said Tolls hereby authorized to be taken, collected and received by them on the said new Road from *Barnet* to *South Mims*, at any other Turnpike or Gate in the Line of Road within the *Saint Albans* Trust, in lieu of collecting and receiving the same at the Toll Gate or Bar and Side Gates and Toll House hereinbefore authorized to be erected and set up by them on such new Road as aforesaid; and such Tolls shall and may be demanded, taken, collected and recovered by the said Trustees at such other Turnpike or Gate as aforesaid, by and under all such and the like Powers, Authorities, Provisoes and Remedies as are hereinbefore given to them for receiving, collecting and recovering the same at the said Toll Gate and Bar and Side Gates hereinbefore authorized to be erected and set up by them as aforesaid.

New Tolls may be levied by Trustees of *Saint Albans* Trust (with Consent of Commissioners of 4 G. 4.) at any Turnpike Gate within *Saint Albans* Trust.

XXXIII. And Whereas, in consequence of the Alterations hereinbefore authorized and directed to be made in the Road between *Barnet* and *South Mims* as aforesaid, it will become necessary to remove the present Toll Gate at *South Mims*; Be it therefore enacted, That it shall and may be lawful to and for the Trustees of the *Saint Albans* Trust, and they are hereby authorized and empowered, if they shall think it expedient so to do, to remove and take down the Toll Gate or Bar and Toll House now standing at *South Mims* aforesaid, or to sell and dispose of the same, and to take, demand, recover and levy, at the Toll Gate or Bar and Side Gates hereinbefore authorized to be erected and set up by them on the new Road from *Barnet* to *South Mims* aforesaid, in addition to the new Tolls hereinbefore authorized to be taken and collected at such Gates, the old Tolls now collected and taken by such Trustees at the Toll Gate at *South Mims* aforesaid; or, if necessary, the said Trustees of the *Saint Albans* Trust shall and they are hereby authorized and empowered to erect and set up a new Toll Gate or Gates and Side Gates, with Toll Houses, on or by the Side of such Part or Parts of the

Trustees of *Saint Albans* Trust may remove Toll Gate at *South Mims*, and levy both old and new Tolls at the Gate on the new Road from *Barnet* to *South Mims*, &c.

old Road within the *Saint Albans* Trust, as they shall think proper for that Purpose, and to collect and receive at such lastmentioned Toll Gate or Gates and Side Gates, the said Tolls now collected and received by them at the Gate at *South Mims* aforesaid.

Separate Accounts of old and new Tolls received at same Gate.

Trustees of *Saint Albans* Trust neglecting to collect Tolls, and pay over same, Commissioners shall take Possession of Gates, &c.

XXXIV. Provided always, and be it further enacted, That in case the old and new Tolls shall be collected and received at the same Gate, a separate and distinct Account shall be kept by the Trustees of the *Saint Albans* Trust, of the new Toll or Tolls hereinbefore authorized and directed to be collected and received by them in respect of the new Line of Road between *Barnet* and *South Mims* aforesaid.

XXXV. And be it further enacted, That in case the Trustees of the aforesaid *Saint Albans* Trust shall neglect or refuse, for the Space of Sixty one Days after the new Road from *Barnet* to *South Mims* as aforesaid shall be completed and opened to the Public, to erect and set up the said Toll Gate or Bar and Toll House, or to collect, demand and receive the said Tolls, according to the Powers and Directions of this Act, it shall and may be lawful for the said Commissioners acting in the Execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, and they are hereby authorized and empowered to erect and set up the said Toll Gate or Bar and Toll House, and to appoint a Toll Collector and to take, demand, recover and levy the said Tolls hereinbefore authorized and required to be taken, demanded and received on the said lastmentioned new Road; and the said lastmentioned Commissioners shall continue in possession of the said Toll Gate or Bar and Toll House, and shall receive the said Tolls, until the Principal Sum or Sums to be advanced under the Provisions of this Act, with Interest thereon as aforesaid, shall be fully paid and satisfied; and the said lastmentioned Commissioners shall and may and they are hereby authorized and empowered to exercise and put in force all the Powers, Authorities, Remedies and Provisions which might be put in force by the lastmentioned Trustees, for the erecting the said Toll Gate or Bar and Toll House, and the demanding, receiving and recovering the said Tolls; and in case the Trustees of the *Saint Albans* Trust shall neglect or refuse to account for or pay over to the said Commissioners acting in the Execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, the Tolls hereinbefore authorized and directed to be collected by the said Trustees under the Authority of this Act, it shall and may be lawful for the said Commissioners to seize the Toll Gate or Bar and Toll House erected and set up by the said Trustees so refusing or neglecting, and in like manner to collect, demand and receive the Tolls which those Trustees might have collected, demanded and received.

Trustees of *Stratford* and *Dunchurch* Trust to continue additional Tolls.

XXXVI. And be it further enacted, That it shall and may be lawful for the Trustees of the *Stratford* and *Dunchurch* Trust, and they are hereby authorized and required to continue the additional Tolls by them imposed and raised and now levied for the Purpose of paying off the Sum of Eight thousand Pounds advanced to them by the Commissioners for the Issue of Exchequer Bills on or about the Third Day of *November* One thousand eight hundred

dred and twenty, and also the Sum of Five thousand Pounds advanced by the said Commissioners for the Issue of Exchequer Bills, on or about the Twenty sixth Day of November One thousand eight hundred and twenty two, to the Commissioners for executing the said recited Act of the Fifty fifth Year of the Reign of His late Majesty King George the Third, to be applied by them to the Use of the said Trustees as directed by an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act for continuing and amending Three Acts of His late Majesty, for repairing the Road from Old Stratford in the County of Northampton to Dunchurch in the County of Warwick*, and all Interest due and to become due thereon respectively, until as well the said several Sums of Eight thousand Pounds and Five thousand Pounds so advanced, and all Interest due and to become due thereon respectively, as also the Principal Sum or Sums to be paid by the said Trustees of the *Stratford and Dunchurch Trust* to the Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, as hereinafter directed, together with all Interest thereon, shall be fully paid off and discharged.

s G. 4. c. xci.

XXXVII. And be it further enacted, That it shall and may be lawful for the Trustees of the *Stratford and Dunchurch Trust*, and they are hereby authorized and required, with and out of the said additional Tolls, (subject and without Prejudice to the Payment of the said several Sums of Eight thousand Pounds and Five thousand Pounds, and the Interest thereof respectively,) to repay to the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty the Sum or Sums to be advanced under the Provisions of this Act, and applied in altering and improving the Road between *Old Stratford and Dunchurch*, and in repairing the same, as hereinbefore directed, together with Interest at the Rate of Four Pounds *per Centum per Annum*, to be computed from the Time or respective Times of the advancing thereof, on so much of the said lastmentioned Sum or Sums as shall from time to time remain due and unpaid.

Trustees of
Stratford and
Dunchurch
Trust to repay
Sums ad-
vanced under
this Act for
Improvements
between Old
Stratford and
Dunchurch
Hills.

XXXVIII. And be it further enacted, That the several additional Tolls which are and which are to be continued to be levied and raised by the Trustees of the *Stratford and Dunchurch Trust* as hereinbefore is directed, shall, during the Time that they are hereby required to be continued, be levied and raised, and be accounted for and paid over in the Manner and under the Powers and Provisions of the said hereinbefore mentioned Act of the Third Year of the Reign of His present Majesty, for repairing the Road from *Old Stratford* in the County of *Northampton* to *Dunchurch* in the County of *Warwick*; and in case the said Trustees of the *Stratford and Dunchurch Trust* shall refuse or neglect to continue the said additional Tolls, or shall lower the same, or shall make Default in Payment of the Sum or Sums to be paid by them as hereinbefore directed, or the Interest thereof, before the same Sums and the Interest thereof shall be fully paid off and discharged, it shall and may be lawful for the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, to enter upon and take pos-

Tolls to be con-
tinued, subject
to existing
Powers and
Provisions,
with Powers
for Commis-
sioners of
4 G. 4. to take
Possession of
Toll Gates in
case of Default.

session of the Toll Gates, Bars and Toll Houses of the said Trustees, and to collect, take, receive and recover the Tolls arising on the Road under the Care of the said Trustees, and to pay over the same in manner directed by this Act, and to execute all the Powers, Provisions and Authorities in and by the said Act of the Third Year of the Reign of His present Majesty in such Case given, as fully and effectually as if the same were repeated and re-enacted in and by this Act.

4 G. 4. c. 74.
as to certain
Tolls on the
Saint Albans
Trust,

XXXIX. And be it further enacted, That so much of the said recited Act of the Fourth Year of the Reign of His present Majesty as authorizes and requires the Trustees of the *Saint Albans* Trust, when and so soon as the said new Road commencing at or near the *Peahen Inn* shall be completed and open to the Public, to receive and take the following Tolls; (*videlicet*), For every Drove of Oxen or other Neat Cattle, any Sum not exceeding the Sum of Ten Pence *per* Score, and so in proportion for any greater or less Number; and for every Drove of Calves, Hogs, Sheep or Lambs, any Sum not exceeding the Sum of Five Pence *per* Score, and so in proportion for any greater or less Number; shall be and the same is hereby repealed.

repealed.

The other
Tolls on the
Saint Albans
Trust under
the 4 G. 4.
increased.

XL. And be it further enacted, That from and immediately after the passing of this Act the Tolls directed to be received and taken by the Trustees of the *Saint Albans* Trust, in and by the said recited Act of the Fourth Year of the Reign of His present Majesty, in respect of the said new Road commencing at or near the *Peahen Inn* as aforesaid, (except such as are hereinbefore directed to cease), shall be increased to Double the Amount thereof, and the said Trustees are hereby authorized and required to exercise the Powers given to them by the said recited Act of the Fourth Year of the Reign of His present Majesty for increasing the said Tolls accordingly; provided that no more than One Moiety or Half Part of such increased Tolls shall be taken, collected and received by the said Trustees of the *Saint Albans* Trust at the Side Gate on the new Branch Road leading to *Kingsbury*, of or from any Person or Persons attending any Horses or Carriages going to or returning from *Kingsbury* to *Saint Albans*.

Proviso.

Trustees of
Saint Albans
Trust to repay,
out of additional
Tolls,
Sums advanced
under this Act for
repairing
Road from the
Peahen Inn,
and in making
Branch Road
from *Kingsbury*
Lane.

XLI. And be it further enacted, That it shall and may be lawful for the Trustees of the *Saint Albans* Trust, and they are hereby authorized and required, with and out of the said Tolls to be received, taken and collected by them as aforesaid, but subject and without Prejudice to the Payment of the Sum of Ten thousand Pounds, directed to be paid by them in and by the said recited Act of the Sixth Year of the Reign of His present Majesty, and the Sum of Four thousand Pounds, which was advanced to them under the Provisions and Authority of the lastmentioned Act, and the Interest thereof respectively, to repay to the Commissioners acting in the Execution of the said recited Act of the Fourth Year of the Reign of His present Majesty the Sum or Sums to be advanced under the Provisions of this Act, and applied in completing and repairing the said new Piece of Road from the *Peahen Inn* at *Saint Albans* aforesaid, and in making a new Branch or Communication Road in lieu of *Kingsbury Lane*, as hereinbefore mentioned, together with Interest at the Rate of Four Pounds *per Centum per Annum*, to be computed from the Time

Time or respective Times of the advancing thereof, or so much of the said lastmentioned Sum or Sums as shall from time to time remain due and unpaid.

XLII. And Whereas the said new Cut or Piece of Road commencing at or near the *Peaken Inn* in *Saint Albans* aforesaid to the *Pond Yards* hath been some Time since open to the Public; Be it therefore enacted, That the said Trustees of the *Saint Albans* Trust shall and they are hereby empowered and required, from and after the Twenty fourth Day of *June* now next ensuing, to stop up and discontinue the present Turnpike Road from the Road to *Hemel Hempstead* at *Saint Michaels* to the Junction of the present Turnpike Road with the said new Cut or Piece of Road at or near the *Pond Yards* aforesaid, together with all the other Roads, Ways and Paths leading into the said Road so to be stopped up in manner directed by the said recited Act of the Sixth Year of the Reign of His present Majesty; any Thing in the hereinbefore recited Acts of the Fourth and Sixth Years of the Reign of His present Majesty to the contrary thereof in anywise notwithstanding.

For stopping up a certain old Piece of Road.

XLIII. And be it further enacted, That the Trustees of the *Saint Albans* Road shall, when and so soon as the said new Road from *Barnet* to *South Mims* as aforesaid shall be completed and opened to the Public, be and they are hereby discharged and freed from the future Repairs and Support of the whole Piece of Road extending from *Hadley Pillar* in the Parish of *Hadley* to the Junction of the same with the new Road from the Town of *Barnet*, East of *South Mims*, and the said Road shall from henceforth cease and be no longer continued as a Turnpike Road.

Saint Albans Trust discharged from Repair of old Road from *Hadley Pillar* to new Road.

XLIV. And be it further enacted, That the several Sums of Money to be from time to time paid by the Trustees of the *Saint Albans* Trust and the Trustees of the *Stratford* and *Dunchurch* Trust, under the Provisions hereinbefore contained, to the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, in Repayment of the Money to be advanced pursuant to the Provisions of this Act, and the Interest thereof, shall be paid by them the said lastmentioned Commissioners into the Exchequer, to the Account of the Consolidated Fund; and that the Receipts of the said lastmentioned Commissioners, or any Three of them, for any Sum or Sums of Money to be so paid to them, shall be sufficient Discharges to the Trustees and Commissioners by whom the same shall be paid, and shall protect them from being bound to see to the Application thereof, or from being answerable for the Misapplication or Non-application thereof.

Application of Money paid by *Saint Albans* and other Trusts to Commissioners.

XLV. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to take any Gravel, Sand, Stones or other Materials for the Purposes of this Act, out of any private Lands or Grounds, without paying for the same; and in case of any Difference in respect thereof, any Two or more Justices of the Peace for the County, Riding or Place wherein the Place from whence such Materials shall have been taken is situate, on Ten Days' Notice being given in Writing by either Party to the other, shall hear, settle and determine such

Gravel, &c. not to be taken from private Lands without paying for same.

session of the Toll Gates, Bars and Toll Houses of the said Trustees, and to collect, take, receive and recover the Tolls arising on the Road under the Care of the said Trustees, and to pay over the same in manner directed by this Act, and to execute all the Powers, Provisions and Authorities in and by the said Act of the Third Year of the Reign of His present Majesty in such Case given, as fully and effectually as if the same were repeated and re-enacted in and by this Act.

4 G. 4. c. 74.
as to certain
Tolls on the
Saint Albans
Trust,

XXXIX. And be it further enacted, That so much of the said recited Act of the Fourth Year of the Reign of His present Majesty as authorizes and requires the Trustees of the *Saint Albans* Trust, when and so soon as the said new Road commencing at or near the *Peahen Inn* shall be completed and open to the Public, to receive and take the following Tolls; (*videlicet*), For every Drove of Oxen or other Neat Cattle, any Sum not exceeding the Sum of Ten Pence *per* Score, and so in proportion for any greater or less Number; and for every Drove of Calves, Hogs, Sheep or Lambs, any Sum not exceeding the Sum of Five Pence *per* Score, and so in proportion for any greater or less Number; shall be and the same is hereby repealed.

repealed.

The other
Tolls on the
Saint Albans
Trust under
the 4 G. 4.
increased.

XL. And be it further enacted, That from and immediately after the passing of this Act the Tolls directed to be received and taken by the Trustees of the *Saint Albans* Trust, in and by the said recited Act of the Fourth Year of the Reign of His present Majesty, in respect of the said new Road commencing at or near the *Peahen Inn* as aforesaid, (except such as are hereinbefore directed to cease), shall be increased to Double the Amount thereof, and the said Trustees are hereby authorized and required to exercise the Powers given to them by the said recited Act of the Fourth Year of the Reign of His present Majesty for increasing the said Tolls accordingly; provided that no more than One Moiety or Half Part of such increased Tolls shall be taken, collected and received by the said Trustees of the *Saint Albans* Trust at the Side Gate on the new Branch Road leading to *Kingsbury*, of or from any Person or Persons attending any Horses or Carriages going to or returning from *Kingsbury* to *Saint Albans*.

Proviso.

Trustees of
Saint Albans
Trust to repay,
out of additional
Tolls, Sums advanced
under this Act for
repairing
Road from the
Peahen Inn,
and in making
Branch Road
from *Kingsbury*
Lane.

XLI. And be it further enacted, That it shall and may be lawful for the Trustees of the *Saint Albans* Trust, and they are hereby authorized and required, with and out of the said Tolls to be received, taken and collected by them as aforesaid, but subject and without Prejudice to the Payment of the Sum of Ten thousand Pounds, directed to be paid by them in and by the said recited Act of the Sixth Year of the Reign of His present Majesty, and the Sum of Four thousand Pounds, which was advanced to them under the Provisions and Authority of the lastmentioned Act, and the Interest thereof respectively, to repay to the Commissioners acting in the Execution of the said recited Act of the Fourth Year of the Reign of His present Majesty the Sum or Sums to be advanced under the Provisions of this Act, and applied in completing and repairing the said new Piece of Road from the *Peahen Inn* at *Saint Albans* aforesaid, and in making a new Branch or Communication Road in lieu of *Kingsbury Lane*, as hereinbefore mentioned, together with Interest at the Rate of Four Pounds *per Centum per Annum*, to be computed from the Time

Time or respective Times of the advancing thereof, or so much of the said lastmentioned Sum or Sums as shall from time to time remain due and unpaid.

XLII. And Whereas the said new Cut or Piece of Road commencing at or near the *Peaken Inn* in *Saint Albans* aforesaid to the *Pond Yards* hath been some Time since open to the Public; Be it therefore enacted, That the said Trustees of the *Saint Albans* Trust shall and they are hereby empowered and required, from and after the Twenty fourth Day of *June* now next ensuing, to stop up and discontinue the present Turnpike Road from the Road to *Hemel Hempstead* at *Saint Michaels* to the Junction of the present Turnpike Road with the said new Cut or Piece of Road at or near the *Pond Yards* aforesaid, together with all the other Roads, Ways and Paths leading into the said Road so to be stopped up in manner directed by the said recited Act of the Sixth Year of the Reign of His present Majesty; any Thing in the hereinbefore recited Acts of the Fourth and Sixth Years of the Reign of His present Majesty to the contrary thereof in anywise notwithstanding.

For stopping
up a certain old
Piece of Road.

XLIII. And be it further enacted, That the Trustees of the *Saint Albans* Road shall, when and so soon as the said new Road from *Barnet* to *South Mims* as aforesaid shall be completed and opened to the Public, be and they are hereby discharged and freed from the future Repairs and Support of the whole Piece of Road extending from *Hadley Pillar* in the Parish of *Hadley* to the Junction of the same with the new Road from the Town of *Barnet*, East of *South Mims*, and the said Road shall from henceforth cease and be no longer continued as a Turnpike Road.

Saint Albans
Trust dis-
charged from
Repair of old
Road from
Hadley Pillar
to new Road.

XLIV. And be it further enacted, That the several Sums of Money to be from time to time paid by the Trustees of the *Saint Albans* Trust and the Trustees of the *Stratford* and *Dunchurch* Trust, under the Provisions hereinbefore contained, to the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, in Repayment of the Money to be advanced pursuant to the Provisions of this Act, and the Interest thereof, shall be paid by them the said lastmentioned Commissioners into the Exchequer, to the Account of the Consolidated Fund; and that the Receipts of the said lastmentioned Commissioners, or any Three of them, for any Sum or Sums of Money to be so paid to them, shall be sufficient Discharges to the Trustees and Commissioners by whom the same shall be paid, and shall protect them from being bound to see to the Application thereof, or from being answerable for the Misapplication or Non-application thereof.

Application of
Money paid by
Saint Albans
and other Trusts
to Commis-
sioners.

XLV. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to take any Gravel, Sand, Stones or other Materials for the Purposes of this Act, out of any private Lands or Grounds, without paying for the same; and in case of any Difference in respect thereof, any Two or more Justices of the Peace for the County, Riding or Place wherein the Place from whence such Materials shall have been taken is situate, on Ten Days' Notice being given in Writing by either Party to the other, shall hear, settle and determine such

Gravel, &c.
not to be taken
from private
Lands without
paying for
same.

Value and Damages and the Costs attending the hearing and determining the same.

Public Act.

XLVI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded.

SCHEDULE to which this Act refers.

Description of Premises.	Parishes.	Counties.	Freeholders.	Lessees.	Occupiers.
White Hart Garden, Chaise House and Cart House, Stable, Court Yard, Pig- stie, Cow House, other Stables, Shed, and Three Cottage Gardens - - }	South Mims	Middlesex	John Sime	Rich ^d Med- craft - }	Widow Green Joseph Strat- ton, and W ^m Tyresby.
Garden of the Cross Keys Inn, Court Yard, Privy, and Stack Yard - - }	Do. -	Do. -	{ Brewers' Com- pany }	{ - - - }	Edw. Whalley.
An Angle of Nur- sery Ground - }	Barnet -	Do. -	{ Mrs. Ann Wood }	{ - - - }	George Kemp.
An Angle of a Gar- den belonging to Inn - - - }	Do. -	Do. -	{ And ^r Reid, Esq. }	{ - - - }	W ^m Starling
Tap House, Stables, Cow House, Coach House, Court Yard, Dunghill, Water- closet, and Horse Tree, Part of the Green Man Inn - }	Do. -	Do. -	Tho' Newman	- - - -	Tho' Newman.

C A P. LXXVII.

An Act to extend to *Charing Cross*, the *Strand*, and Places adjacent, the Powers of an Act for making a more convenient Communication from *Mary-le-bone Park*; and to enable the Commissioners of His Majesty's Woods, Forests and Land Revenues to grant Leases of the Site of *Carlton Palace*.
[31st May 1826.]

53 G.S. c.121.

WHEREAS an Act was passed in the Fifty third Year of the Reign of His late Majesty King George the Third, intituled *An Act for making a more convenient Communication from Mary-le-bone Park and the Northern Parts of the Metropolis, in the Parish of Saint Mary-le-bone, to Charing Cross, within the Liberty of Westminster, and for making a more convenient*
Sewage

§ 1.

‘ *Sewage for the same*; and by the said Act the Commissioners for the Time being of His Majesty’s Woods, Forests and Land Revenues were appointed Commissioners for carrying the Purposes of the said Act into Execution: And Whereas it would be a great Accommodation to the Public, and be the Means of opening a more ready Communication from *Pall Mall* and the Western Parts of the Metropolis, to the *Strand* and the more Eastern Parts thereof, if the Commissioners named and appointed in and by the said recited Act of the Fifty third Year of the Reign of His late Majesty King *George the Third* were authorized to make and form a new Street, so as to continue *Pall Mall East* from the *King’s Mews* to *Saint Martin’s Church*, and from thence, in a South easterly Direction, on the South Side of the said Church, to the North Side of the *Strand*, and to form an open Place or Square opposite *Charing Cross*, by widening the Communication between *Cockspur Street* and *Craven Street*, and to widen the *Strand* on the North Side thereof as far as *Castle Court*, and also *Saint Martin’s Lane* South of *Hemming’s Row* and *Chandos Street*, and to improve and widen the South Side of *Chandos Street*; and it would also be a great Accommodation and Improvement if the said Commissioners were authorized to widen *Downing Street* on the South Side thereof, and to widen the *Strand* on the North Side thereof opposite *Cecil Street*, in an Easterly Direction, to the East End of *Exeter Change*, and to widen *Bedford Street* at the South End thereof next the *Strand*, and also the Communication from the South End of *Spring Gardens* to *Whitehall* and *Charing Cross* in the Line of the Court called *Buckingham Court*, and also the Communication between *Saint James’s Street* and *King Street* called *Little King Street*; all which several Streets and Places so to be made, altered, diverted or improved, are or will be situate in the several Parishes of *Saint Martin-in-the-Fields*, the united Parishes of *Saint Margaret* and *Saint John the Evangelist*, *Saint James Westminster*, *Saint Paul Covent Garden*, and *Saint Clement Danes*, within the Liberty of *Westminster* in the County of *Middlesex*:’ But as such Improvements cannot be effected without the Aid and Authority of Parliament, may it therefore please Your Majesty that it may be enacted; and be it enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Commissioners named and appointed in and by the said recited Act of the Fifty third Year of the Reign of His late Majesty King *George the Third* shall be and they are hereby authorized and empowered to make the several Improvements and Alterations hereinbefore mentioned, and to carry the Purposes of this Act into Execution, in manner hereinafter mentioned; and all Acts, Matters and Things authorized and necessary to be done and executed by the said Commissioners in pursuance of this Act, may be done and executed by any Two of them, and the same shall be as valid and effectual, and shall have the same Force and Effect, as if such Acts, Matters and Things had been done and executed by all the said Commissioners.

Commissioners
 under recited
 Act authorize d
 to carry this
 Act into Exe-
 cution.

‘ II. And Whereas Maps or Plans, describing the Lines of the Streets,

Streets, &c. to be made according to the Maps or Plans deposited at the Office of the Commissioners of Woods, Forests, &c.

' Streets, Ways, Passages and Places, and the Ground and Premises through which the proposed Alterations and Improvements are to be made or carried, by virtue of this Act, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of such Premises, have been made, for the Purpose of being deposited at the Office of the Commissioners of His Majesty's Woods, Forests and Land Revenues ;' Be it therefore enacted, That the said Maps or Plans and Book of Reference, after the same shall have been authenticated by the Signature of the Right Honourable the Speaker of the House of Commons, shall be deposited with and shall remain in the Custody of the said Commissioners of His Majesty's Woods, Forests and Land Revenues ; and One Copy thereof, signed by the Speaker of the House of Commons, shall be deposited in the Parliament Office ; and One other Copy, so signed, shall be deposited with the Clerk of the Peace of the City and Liberty of *Westminster*, within Three Months from the passing of this Act, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and to take Extracts or Copies thereof, at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every Seventy two Words of such Copies or Extracts of the said Maps or Plans and Book of Reference ; and that the said Commissioners for executing this Act for making the said Alterations and Improvements shall not deviate more than Twenty Yards of Three Feet each from the Lines described in the said Maps or Plans, without the Consent and Approbation, in Writing, of the Person or Persons, Bodies Politic, Corporate or Collegiate, through whose Lands or Premises such Deviation shall be made.

Lands and Premises marked out in Plans may be used, notwithstanding Errors in Book of Reference.

III. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners for executing this Act to make the said proposed Alterations and Improvements into, through, across, or over the several Lands, Hereditaments, or Premises of any Person or Persons who is, are, or may be Owner or Owners of the Land or Premises over which the same is or are set out and described in the said Maps or Plans as aforesaid, although the Name or Names of such Person or Persons may happen to be omitted or mis-stated in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the said County of *Middlesex*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Appointment of Officers.

IV. And be it further enacted, That the said Commissioners for executing this Act shall and may and they are hereby empowered from time to time to appoint a Secretary, Receiver or Receivers, Clerk or Clerks, and also such Officers and other Persons as they shall deem necessary to appoint in the Execution of this Act, and may from time to time remove such Secretary, Receivers, Clerks, Officers and other Persons, or any of them, and appoint others in their Stead ; and also shall and may, out of the Monies to be raised by virtue of this Act, allow to such Secretary, Receivers, Clerks and other Officers, and such other Person and Persons as shall be assisting in or about the Execution of this Act, such Salaries or Allowances as to them the said Commissioners shall seem meet : Provided always, that the said Commissioners shall and may take

take such Security from any Officer or other Person to be appointed by virtue of this Act, for the due and faithful Execution of his Office, as they the said Commissioners shall think fit.

Security for Execution of Office.

V. And be it further enacted, That it shall be lawful for the said Commissioners for executing this Act, and they are hereby authorized and empowered, by and with the Consent and Approbation in Writing of the Lord High Treasurer of the United Kingdom of *Great Britain and Ireland*, or of the Commissioners for executing the Office of Lord High Treasurer, or any Three or more of them, to cause the said Streets, Ways, Passages and Places, to be made, widened, altered, stopped up, repaired, paved and improved, into, through, across or over the several Lands and Premises described in such Map or Plan and Book of Reference, and in conformity to the Lines described in such Maps or Plans, and to such Deviation therefrom as herein mentioned; and for such Purpose it shall be lawful for the said Commissioners acting in the Execution of this Act, and for their Surveyor or Surveyors, Officers or Workmen, with or without Carriages and Cattle, from time to time to enter upon the Messuages or Tenements, Lands and Premises, through which or whereupon the said Streets, Ways, Passages and Places, Alterations or Improvements hereby authorized to be made, is or are intended to pass or be made, in such manner as the said Commissioners acting in the Execution of this Act shall think necessary or proper, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty or Punishment for entering or continuing upon any Part or Parts of such Lands and Premises, for the Damages that shall be thereby occasioned; and the said Commissioners acting in the Execution of this Act shall, and they are hereby authorized and empowered, during the making of the said Alterations or Improvements, to stop up all or any Part of the Carriageways of the said Streets and other Places, and for that Purpose to put up sufficient Palisadoes, Bars, Posts or other Erections, and to make such Orders regulating the Passage of all Carts, Carriages and Horses through the same, as to them the said Commissioners shall seem fit and proper; and that the sole Power and Authority of paving, repairing, cleansing, lighting and watching all the Streets, new Ways and Places which shall be made, or which shall be in any manner altered by virtue of this Act, shall, when the same shall be so made or altered, be vested in, and such Streets, Ways or Passages, for all the Purposes of paving, repairing, cleansing, lighting and watching the same, shall be, remain and continue under the Care, Management, Controul and Jurisdiction of the same Commissioners, Trustees or other Persons, as the Streets, Ways or Places, in lieu of which such new Streets, Ways or Places shall be made or altered respectively, now are or would have been if this present Act had not been passed.

Commissioners empowered to make Streets, &c. and to stop up Carriageways whilst the same are making.

VI. Provided always, and be it further enacted, that no Street not designed, by the Plan hereinbefore referred to, to be ultimately stopped up, shall be at any Time wholly stopped up, but that sufficient Room shall be at all Times left for the free Passage of Carts, Carriages, Cattle and Foot Passengers.

Proviso to prevent Streets being wholly stopped up.

VII. And be it further enacted, That for the Purpose of making, widening, improving and rendering more commodious the said Streets,

Commissioners empowered to purchase

Lands and
Buildings for
the Purposes of
this Act.

Streets, Ways, Passages and Places, it shall be lawful for the said Commissioners acting in the Execution of this Act, and they are hereby authorized and empowered, when they shall deem it necessary, by and with the Consent and Approbation in Writing of the said Lord High Treasurer or of the said Commissioners for executing the said Office of Lord High Treasurer, or any Three or more of them, to treat and agree for the Purchase of any of the Houses, Buildings, Erections, Ground, Tenements and Hereditaments described or comprised in the said Maps or Plans and Book of Reference, or in such Deviation as hereinbefore mentioned, and of any subsisting Leases, Terms, Estates and Interests therein or Charges thereon, which the said Commissioners for executing this Act may, by and with such Consent and Approbation as aforesaid, deem necessary or expedient to be purchased for the Purposes of this Act: Provided always, that the said Commissioners shall not be compelled to purchase the whole of the Space coloured on the said Plans as being within the Powers of Purchase limited by this Act.

Limiting the
Time for pur-
chasing
Houses, &c.

VIII. And be it further enacted, That if the said Commissioners shall not within the Space of Seven Years, to be computed from the passing of this Act, purchase or cause to be valued as hereinafter mentioned, all and every such Houses, Buildings, Erections, Ground, Tenements and Hereditaments, which they are hereby authorized and empowered to purchase as aforesaid, and pay the Consideration Money, or Money awarded for the same respectively, in manner directed by this Act, then and from thenceforth those Powers which are hereby granted to them for such Purpose only, shall cease, determine and be utterly void.

Bodies Politic,
&c. em-
powered to
treat for Sale
and Exchange
of Houses, &c.

IX. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Tenants for Life or for Years or in Tail, Husbands, Guardians, Feoffees in Trust, Committees, Executors and Administrators, and all other Trustees or Persons whomsoever, not only for and on behalf of themselves, their Heirs and Executors or Successors, but also for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn or Lunatics, Idiots, Femmes Covert, or other Person or Persons, and to and for all Femmes Covert who are or shall be seised or possessed or interested in their own Right, or entitled to Dower or other Interest therein, and for every other Person or Persons whomsoever who are or shall be seised or possessed of or interested in any such Houses, Erections, Buildings, Lands, Tenements and Hereditaments as aforesaid, to contract and agree for the Sale or Exchange of the same, and every Part thereof; and all such Contracts, Agreements, Bargains, Sales, Exchanges, Conveyances and Assurances, Acts and Deeds, which shall be made by such Bodies Politic, Corporate or Collegiate, Trustee or Trustees, or other Person or Persons as aforesaid, shall be valid and effectual in the Law to all Intents and Purposes whatsoever, any Law, Statute, Usage or Custom to the contrary notwithstanding; and all Bodies Politic, Corporate or Collegiate, and all Persons whomsoever, so contracting and agreeing as aforesaid, are hereby indemnified for or in respect of any such Sale which he, she or they or any of them shall respectively make by virtue or in pursuance of this Act; and all such Contracts or Agreements for such

such Sales and Exchanges shall be made at the Costs and Expence of the said Commissioners for executing this Act; and all such Houses, Erections, Buildings, Lands, Tenements and Hereditaments, which shall be so agreed to be purchased or exchanged as aforesaid, shall, when so purchased or exchanged, or agreed to be purchased or exchanged, and upon Tender or Payment in manner hereinafter directed of the Sum or Sums of Money agreed to be paid for the same, be vested in His Majesty, His Heirs and Successors, who shall thenceforth be deemed in Law to be in the actual Seisin and Possession thereof to all Intents and Purposes whatsoever, freed and discharged from all other and former Estates, Rights, Titles, Interest, Claims and Demands whatsoever, and the same shall be employed and made use of for the Purposes of this Act, according to the Directions of the Commissioners for executing this Act, and under the Regulations in this Act mentioned and contained.

X. And be it further enacted, That any Houses, Buildings, Lands, Tenements or Hereditaments, which under the Powers in this Act contained shall be conveyed in Exchange for any Premises mentioned and described in the said Map or Plan and Schedule which shall be taken for the Purposes of this Act, and shall belong to any Body Politic, Corporate or Collegiate, Feme Covert, Infant, Lunatic or other Person or Persons under any Disability or Incapacity, or not legally entitled absolutely to dispose thereof, shall, when so conveyed, stand and be settled and limited to, for and upon such and the like Uses, Trusts, Intents and Purposes, and shall be subject to the same Powers of leasing or other Powers, and in the same manner as the Premises so taken as aforesaid stood settled, limited or subject, or such of them as at the Time of making such Conveyance shall be existing undetermined and capable of taking Effect.

Lands, &c. conveyed in Exchange to be settled to the like Uses as Lands taken.

XI. Provided always, and be it enacted, That it shall and may be lawful for the said Commissioners for executing this Act, from time to time to direct or contract for the taking down any Houses or Buildings to be purchased or made use of for the Purposes of this Act; and all such Materials, and the Money arising from the Sale thereof, shall be and are hereby vested in the said Commissioners for executing this Act; and all such Money (after paying and deducting the necessary Expences of pulling down such Houses and Buildings and of the Sale of the Materials thereof,) shall and may be applied and disposed of under the Directions of the said Commissioners, for any of the Purposes of this Act.

Commissioners may contract for taking down Houses, and selling Materials thereof.

XII. And be it further enacted, That if any Owners, Proprietors, Occupiers, Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Trustees, Feme Covert or any other Person or Persons seised, possessed of or interested in any Houses, Buildings, Lands, Tenements or Hereditaments, or any Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, which the said Commissioners for executing this Act are hereby empowered to purchase, take and use for the purposes of this Act, shall neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence or Disability shall be prevented from treating with the said Commissioners for executing this Act or with the Person or Persons au-

How Damages to be assessed in case of Disagreement.

thorized

Jury.

Examination
upon Oath.

Verdict final.

thorized by them for the Sale and Disposal of their respective Estates and Interests therein, or cannot be found or known, or shall not produce and evince a clear Title to the Premises they may be in the Possession of or to the Interest they shall claim therein, to the Satisfaction of the said Commissioners or of the Person or Persons authorized by them, then and in every or any such Case, the High Bailiff of the City and Liberty of *Westminster* or his Deputy, as the Case may be, or in case such High Bailiff or his Deputy shall be in anywise interested in the Matter in question, then some One of the Coroners of the County of *Middlesex* not interested therein, shall, upon the Warrant of the said Commissioners for executing this Act, in manner hereinafter mentioned, and he and they is and are hereby required and authorized to cause it to be inquired into and ascertained upon the Oaths of a Jury of Twelve indifferent Men of the said City of *Westminster* (which Oaths the said High Bailiff or Deputy or Coroner, is and are hereby empowered and required to administer), what Damages will be sustained by and what Recompence and Satisfaction shall be made to such Owners, Occupiers or other Person or Persons interested, for the Value of such Houses, Buildings, Lands, Tenements or Hereditaments, and of the proportionable Value of the respective Estates and Interests of every Person or Persons seised or possessed thereof or interested therein, or of or in any Part thereof, and assess and award the Sum or Sums of Money to be paid to such Person or Persons, Party or Parties respectively, for the Purchase of such Houses, Buildings, Lands, Tenements or Hereditaments and of such respective Estates and Interests therein, and also for Goodwill, Improvements or any Injury or Damage whatsoever that may affect any such Person or Persons, Party or Parties, provided such Goodwill shall be estimated by what, in the Opinion of such Jury, the same would have been worth in case the Improvements intended by this Act had not been in contemplation, and also for or on account of the taking of such Houses, Buildings, Lands, Tenements or Hereditaments, for the Purposes or under and by virtue of the Authority of this Act; and in order thereto, the said High Bailiff, Deputy or Coroner is and are hereby empowered and required, from time to time as Occasion shall require, to summon and call before the said Jury, and examine upon Oath, all and every Person or Persons whomsoever who shall be thought necessary and proper to be examined as a Witness or Witnesses touching or concerning the Premises (which Oath the said High Bailiff, Deputy or Coroner is and are hereby empowered to administer); and such High Bailiff, Deputy or Coroner respectively, shall order and cause the said Jury to view the Places in question, if there be Occasion, and use all other lawful Ways and Means, as well for his and their own as for the said Jury's better Information in the Premises, as the said High Bailiff, Deputy or Coroner shall think fit; and after the said Jury shall have inquired of, ascertained and settled such Damage, Recompence and Satisfaction, the said High Bailiff, Deputy or Coroner shall thereupon order the Sum or Sums of Money so assessed by the said Jury to be paid by the said Commissioners for executing this Act to the said Owners or Occupiers of or other Persons interested therein, according to such Verdict or Inquisition of the said Jury; which said Verdict or Inquisition and

Order,

Order, so had and made, shall be final, binding and conclusive, to all Intents and Purposes, upon and against all Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as all other Parties and Persons whomsoever; and for the summoning and returning of such Jury or Juries, the said Commissioners for executing this Act are hereby empowered to issue their Warrant or Warrants to the said High Bailiff, Deputy or Coroner, to summon, impanel and return, at some convenient Place in the said City of *Westminster*, a Jury of not less than Thirty six or more than Forty eight honest and indifferent Men, qualified according to Law to be returned for Trials of Issues in His Majesty's Courts of Record at *Westminster*, to appear before the said High Bailiff, Deputy or Coroner at such Time and Place as in such Warrant shall be appointed, and Fourteen Days' Notice at the least in Writing under the Hands of the said Commissioners for executing this Act or under the Hand of their Secretary, of the Time and Place at which such Jury are so required to be returned, shall be given to such Owners, Proprietors, Occupiers, Corporations, Trustees or any other Person or Persons interested in the Premises before the Time of the Meeting of the said Jury, by leaving such Notice at the Dwelling House of such Person or Persons, or of the Head Officer of such Body or Bodies Politic, Corporate or Collegiate, or with some Tenant or Occupier of the Premises respectively intended to be valued; and the said High Bailiff, Deputy or Coroner is and are hereby empowered to impanel, summon and return such Number accordingly, and out of the Persons so impanelled, summoned and returned, or out of such of them as shall appear upon such Summons, the said High Bailiff, Deputy or Coroner shall swear or cause to be sworn Twelve who shall be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen, the said High Bailiff, Deputy or Coroner shall return other honest and indifferent Men of the Standards by or that can be speedily procured to attend that Service (being qualified as last aforesaid), to the Number of Twelve; and it shall be lawful for all Persons concerned, by themselves, their Counsel, Solicitors and Agents, to attend and be heard and to adduce Evidence before the said High Bailiff, Deputy or Coroner respectively; and such Persons shall also have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array.

Proceedings
for summoning
and returning
Jury.

Challenge.

XIII. And be it further enacted, That no Jury to be summoned by virtue of this Act shall be allowed to assess or award any Sum or Sums of Money to any Person or Persons, by way of Compensation for Goodwill or Improvements alleged to have been lost, or any Injury or Damage alleged to have been sustained by him or them, by reason or means of this Act, or any Thing which shall or may be done in the Execution hereof, unless Notice in Writing, stating the Particulars of every such Claim, shall have been given by and on behalf of such Person or Persons to the said Commissioners for executing this Act, or to their Secretary, within Three Calendar Months next after such supposed Loss shall have been incurred, or such supposed Damage or Injury shall have been occasioned or sustained, and Ten Days at least before the Time of the Meeting of such Jury.

Particulars of
Compensation
claimed for
Loss or Dam-
ages to be de-
livered to the
Commissioners
within Three
Months.

XIV. And

High Bailiff,
&c. for Neglect of Duty.

Penalty.

Jury, and Witnesses neglecting, &c.

Penalty.

Distress.

Expences of Juries how to be paid.

XIV. And be it further enacted, That if the High Bailiff, Deputy or Coroner, so directed to summon and return a Jury as aforesaid, shall make Default in the Premises, he shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; and if any Person so summoned and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to be sworn or to give his Verdict, or shall in any other manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act; or if any Person so summoned as a Witness shall not appear, or appearing shall refuse to be examined, or to give Evidence; any Person so offending, having no reasonable Excuse to be allowed by the Justices hereinafter mentioned, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; which several and respective Penalties shall and may be levied by virtue of any Warrant under the Hand and Seal of any One of His Majesty's Justices of the Peace for the City of *Westminster*, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him or her the Overplus, after such Penalty and the Charges of such Distress and Sale shall be deducted.

XV. And be it further enacted, That in case any Jury to be summoned and sworn pursuant to the Authority of this Act, shall give in a Verdict or Assessment for more Money, as a Recompence, Compensation or Satisfaction for the Right, Interest or Property of any Person or Persons in any such Houses, Buildings, Lands, Tenements or Hereditaments, or for any such Goodwill, Improvements, Injury or Damage as aforesaid, than shall have been agreed to be given and offered for the same by the said Commissioners for executing this Act, before the summoning and returning of such Jury; or where, by reason of Absence in foreign Countries, or other Incapacity or Disability as aforesaid, there shall not be found any Person or Persons legally capacitated to enter into any Contract with the said Commissioners; then and in every such Case all the reasonable Costs, Charges and Expences of causing and procuring such Recompence, Compensation or Satisfaction to be assessed by a Jury shall be settled by the High Bailiff, Deputy or Coroner, before whom such Claim shall have been tried, and shall be paid by the said Commissioners out of the Monies which shall arise by virtue of this Act; but if any Jury so summoned and sworn as aforesaid shall give in a Verdict or Assessment for no more or for less Money, as such Recompence, Compensation or Satisfaction as aforesaid, than shall have been agreed to and offered by the said Commissioners for the same before the summoning and returning of the said Jury; or in case no Damages shall be given by the Verdict where the Dispute is for Damages only; or where the causing and procuring such Jury to be summoned shall have arisen from a Refusal to treat or agree with the said Commissioners for executing this Act, by any Body or Bodies Politic, Corporate or Collegiate, or by any Person or Persons whomsoever, who is or are, by the Provisions of this Act or otherwise, legally empowered to treat; then (except where by reason of Absence such Person shall be prevented from treating with such Commissioners) all such Costs, Charges and Expences (to be settled by such High Bailiff, Deputy or Coroner, in manner aforesaid) shall be paid in manner following; (that is to say), One Moiety or Half Part of such

such Costs and Expences shall be borne and paid by the said Commissioners, and the other Moiety by the said Body or Bodies Politic, Corporate or Collegiate, or other Person or Persons so claiming such Compensation, or refusing to treat and agree as before mentioned respectively, (save only and except where by reason of Absence or other like Cause any Person shall have been prevented from treating or agreeing as aforesaid, in which Case no Costs, Charges or Expences shall be allowed to either Party as against the other); and all Costs, Charges and Expences hereby directed to be paid to the said Commissioners for executing this Act, shall and may be deducted and retained by them out of the Money so adjudged or assessed to be paid by them, as so much Money advanced to and for the Use of the Person and Persons entitled to such Money so adjudged, and Payment or Tender of the Remainder of such Money shall be deemed and taken to be a Payment or Tender of the whole Sum or Sums so adjudged or assessed; or in case no Money, or no sufficient Sum of Money, shall be awarded or assessed to be paid by the said Commissioners, whereout such Costs, Charges and Expences can be deducted, then the same shall and may be recovered by such Ways and Means as are hereinafter provided for the Recovery of Penalties, Forfeitures and Fines by this Act imposed or authorized to be imposed.

XVI. And be it further enacted, That a Minute or Docquet of all the said Judgments and Verdicts shall be recorded in the Office of the Commissioners of His Majesty's Woods, Forests and Land Revenues; and all such Judgments and Verdicts shall be afterwards deposited with the Clerk of the Peace of the said City and Liberty of *Westminster*, to be kept and preserved by him amongst the Records of the Quarter Sessions of the said City and Liberty, and shall be deemed to be Records to all Intents and Purposes whatsoever; and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same paying for such Inspection the Sum of One Shilling, and to take Copies thereof, paying for every Copy the Sum of Sixpence for every Seventy two Words, and so in proportion for any less Number of Words.

Verdicts to be recorded.

May be inspected.

XVII. And be it further enacted, That if in any Case the Owner or Owners of any House or Building, or of any Yard or Curtilage occupied therewith, Part only of which Premises shall at any Time be required by the said Commissioners for executing this Act to be applied for the Purposes of this Act, shall be unwilling to sell or dispose of such Part only of such House, Building, Yard or Curtilage as shall be required by the said Commissioners, it shall and may be lawful for the said Commissioners executing this Act, and they are hereby required, at the Option of any Owner or Owners of any such House, Building, Yard or Curtilage, to purchase of and from the said Owner or Owners the Whole or such Part thereof as such Owner or Owners shall think fit, and to apply so much and such Part thereof as they the said Commissioners for executing this Act, with such Consent and Approbation as aforesaid, shall see fit, for the Purposes of this Act; and that if such Owner or Owners shall not or

Commissioners may Purchase the Whole of Premises from Owners unwilling to sell Part.

cannot agree with the said Commissioners for executing this Act, for the Price to be paid for the Purchase of the Whole of such Building, House, Yard or Curtilage, then the Value thereof shall be settled and ascertained by a Jury, in such manner as the Price for any Land to be taken in pursuance of this Act is directed to be settled and ascertained; and all such other Proceedings shall take place respecting the said Premises as are hereinbefore mentioned and directed with respect to the Premises the Value of which shall be ascertained by a Jury in manner aforesaid.

Money to be
paid before any
Use made of
the Premises.

XVIII. Provided always, and be it further enacted, That all Sums of Money or other Consideration, Recompence or Satisfaction to be made or paid pursuant to any such Agreement or Verdict as aforesaid, shall be paid or tendered to the Party or Parties entitled to the same, or into the Bank of *England* as herein mentioned, before the said Commissioners or any Person or Persons authorized by them, shall proceed to take Possession, or pull down any House or Houses or other Erections or Buildings comprised in or affected by such Agreement or Verdict respectively, or to use the Ground for any of the Purposes of this Act.

Power to enter
and take Pos-
session of
Houses, &c. on
Payment or
Tender of Pur-
chase Money.

XIX. And be it further enacted, That if any Body or Bodies, Person or Persons, seised or possessed of or interested in any such Tenements or Hereditaments, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon as aforesaid, cannot be found, or shall not be known, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners acting in the Execution of this Act, or shall refuse to execute a Conveyance or Conveyances thereof, then and in any of such Cases, upon Payment of such Sum or Sums of Money as shall have been contracted and agreed, or shall have been assessed and awarded by any Referee or Referees, or by any Jury or Juries, in manner aforesaid, to be paid for the Purchase of or for the Value of the same Premises, into the Bank of *England*, as hereinafter directed and required (in case the same shall be requisite,) for the Use of such Person or Persons so interested in or entitled as aforesaid, such Tenements or Hereditaments, or Parts, Shares, Estates, Interests or Charges, and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Right, Title, Interest, Use, Trust, Property, Claim and Demand, in Law and Equity, of the Body or Bodies, Person or Persons, or unknown Person or Persons, to whose Credit such Money shall be paid, in, to and out of the Tenements, Hereditaments and Premises to be purchased as aforesaid, shall from thenceforth vest in His Majesty, His Heirs and Successors, who shall be deemed in Law to be in the actual Seisin and Possession thereof to all Intents and Purposes, freed and discharged from all former and other Estates, Rights, Titles and Interests, Claims and Demands, as fully and effectually as if every Body or Person having any Estate in the Premises had actually conveyed the same by Lease and Release, Bargain and Sale enrolled, Feoffment with Livery of Seisin, Fine, Common Recovery, or any other Conveyance or Assurance whatsoever; and such Payment shall not only bar all Right, Title, Interest, Claim and Demand of the Body or Bodies, Person or Persons, or unknown Person or Persons, of, in or to the same Premises,

Premises, to whose Credit such Payment or Tender shall have been made, but also shall extend to and be deemed and construed to bar the Dower and Dowers of the Wife and Wives of such Person or Persons, and all Estates Tail and other Estates in Possession, Reversion, Remainder, Expectancy or Contingency, and the Issue and Issues of such Person or Persons, and every other Person whomsoever; and the same Premises shall and may be thereupon pulled down, made use of and employed for the Purposes of this Act, according to the Directions of the said Commissioners for executing the same, and under the Regulations in this Act mentioned and contained.

Dower barred.

XX. Provided always, and be it further enacted, That it shall and may be lawful for the said Commissioners for executing this Act, by and with the Consent and Approbation in Writing of the said Lord High Treasurer, or of the said Commissioners for executing the said Office of Lord High Treasurer, or any Three or more of them, absolutely to sell and dispose of all or any Part of the Houses, Buildings, Lands, Tenements and Hereditaments of or belonging to His Majesty, His Heirs or Successors, in the Lines of the said Streets and Places respectively to be erected and built, altered, repaired and improved under or by virtue of this Act, or which shall be so purchased or acquired as aforesaid, and shall not be wanted for the Purposes of this Act; and also to convey in exchange, with such Consent and Approbation as aforesaid, all or any Part of the Houses, Buildings, Lands, Tenements or Hereditaments of or belonging to His Majesty, His Heirs or Successors, situate within any or either of the Parishes through which the said Streets and Places respectively to be erected and built, altered, stopped up, repaired or improved under or by virtue of this Act, extend, or which shall have been purchased and taken in exchange under the Authority of this Act, and which shall not be wanted for the Purposes of the said Act, in lieu of and in exchange for any other Houses, Buildings, Lands, Tenements and Hereditaments which shall be wanted for the Purposes of this Act, or with a View to the Acquisition by Exchange of any other Houses, Buildings, Lands, Tenements and Hereditaments which may be required for the immediate Purposes of the said Act; and also to demise or lease, or previous to any such Demise or Lease to enter into any Contract or Agreement for the demising or leasing all or any Part of such Houses, Buildings, Lands, Tenements and Hereditaments of or belonging to His Majesty as aforesaid, to any Person or Persons, for any Term of Years not exceeding Ninety nine Years for the making thereof, at such Rent or Rents, and under such Covenants, Conditions, Clauses and Restrictions, and in such manner as the said Commissioners for executing this Act shall from time to time, with such Consent and Approbation as aforesaid, judge proper, either wholly or in part, in lieu of or in exchange for any Lease or Leases, Assignment or Assignments of any other Houses, Buildings, Lands, Tenements or Hereditaments which shall be wanted for the Purposes of the said Act, and in which said Houses, Buildings, Lands, Tenements and Hereditaments so wanted, the Person or Persons treating for such Exchange may have only a Leasehold or some other limited Interest; and also to demise or lease, or previous to any such

Commissioners empowered to sell, exchange or lease Premises not wanted for the Purposes of this Act.

Demise or Lease to enter into any Contract or Agreement for the demising or leasing, with such Consent and Approbation as aforesaid, all or any Part of the Houses, Buildings, Lands, Tenements and Hereditaments to be purchased, erected, built, altered, repaired and improved under or by virtue of this Act, for any Term or Terms of Years not exceeding Ninety nine Years from the making thereof, at such Rent or Rents, and under such Covenants, Conditions, Clauses and Restrictions, and in such manner as the said Commissioners for executing this Act shall from time to time, with such Consent and Approbation as aforesaid, judge proper and think most advantageous, and to receive and take any Fine or Fines for the granting of such Leases, and to apply all such Fines to the Purposes of this Act; and all Conveyances, Exchanges and Leases which shall be made by the said Commissioners for executing this Act, of any of the said Houses and Buildings, Lands, Tenements and Hereditaments, may be made according to the Forms set forth in the Schedule to the said recited Act of the Fifty third Year of the Reign of His said late Majesty annexed, or as near thereto and the Circumstances of the Case will admit; and all such Conveyances, Exchanges and Leases shall be good, valid and effectual, any Provisions, Restrictions or Clauses contained in any Act or Acts of Parliament relating to His Majesty's Land Revenues, or to any Property under the Management of the Commissioners of His Majesty's Woods, Forests and Land Revenues, or any Practice, Custom or Usage to the contrary thereof in anywise notwithstanding.

Validity of
Conveyances,
&c.

Application of
Purchase
Money exceed-
ing 200*l*.

XXI. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Houses, Lands, Tenements or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, or for any other Right, Matter or Interest of what Nature or Kind soever, purchased, taken or used by virtue of this Act for the Purposes thereof, which shall belong to any Body Politic, Corporate or Collegiate, Feme Covert, Infant, Lunatic or other Person or Persons under any Disability or Incapacity, or not legally entitled absolutely to dispose of the Premises by the Sale of which such Money shall be produced, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the said Commissioners for executing this Act, pursuant to the Method prescribed by an Act made in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing the Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon the Petition to be preferred in a summary Way by the Body or Bodies, Person or Persons, who would have been entitled to the Rents and Profits of

1 G. 4. c. 35.

of the said Houses, Buildings, Lands, Tenements or Hereditaments in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof as the said Court shall authorise to be paid, affecting the same Houses, Buildings, Lands, Tenements or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, or affecting other Houses, Buildings, Lands, Tenements or Hereditaments standing settled therewith, to the same or the like Uses, Trusts, Intents or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements or Hereditaments, which shall be conveyed and settled to, for and upon such and the like Uses, Trusts, Intents and Purposes, and in the same Manner as the Hereditaments which shall be so purchased, taken or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance or Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until the Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from time to time be paid, by Order of the said Court to the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

XXII. Provided also, and be it further enacted, That if any Money so agreed or assessed to be paid for any Houses, Buildings, Lands, Tenements or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, purchased, taken or used for the Purposes aforesaid, belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Bodies, Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments or Parts, Shares, Estates, Interests or Charges so purchased, taken or used, or of his, her or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privy of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner hereinbefore directed; or otherwise the same shall be paid, at the like Option, to Two or more Trustees, to be nominated by the Body or Bodies, Person or Persons making such Option, and approved of by the said Commissioners for executing this

Application
where under
200*l.* and not
less than 20*l.*

Act, such Nomination and Approbation to be signified in Writing under the Hands and Seals of the nominating and approving Parties, in order that such Principal Money, and the Dividends arising thereon, may be applied in manner hereinbefore directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Application
where the
Money is under
20l.

XXIII. Provided always, and be it further enacted, That where such Money so agreed and assessed to be paid as hereinbefore mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the Hereditaments, Parts, Shares, Estates, Interests and Charges so purchased, taken or used for the Purposes of this Act, in such manner as the said Commissioners for executing this Act shall think fit; or in case of the Infancy or Lunacy of such Person or Persons, then such Money shall be paid to his, her or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not
making out
Title, or if
Persons can-
not be found,
Purchase
Money to be
paid into the
Bank.

XXIV. And be it further enacted, That in case the Body or Bodies, Person or Persons, to whom any Sum or Sums of Money shall be awarded by any Referee or Referees, or Umpire, or by any Jury or Juries, for the Purchase of any Tenements or Hereditaments, or any Parts, Shares, Estates or Interests therein, or Charge thereon, to be purchased, taken or used for the Purposes of this Act, shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners for executing this Act, or shall refuse to execute a Conveyance or Assignment thereof, or in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded to be paid as aforesaid cannot be found, or if the Person or Persons entitled to such Houses, Buildings, Lands, Tenements or Hereditaments, Parts, Shares, Estates, Interests or Charges, be not known or discovered, then and in every such Case it shall and may be lawful for the said Commissioners for executing this Act to pay the said Sum or Sums of Money so awarded or agreed to be paid as aforesaid, into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Party or Parties, if known, who shall be interested in the said Tenements or Hereditaments, Parts, Shares, Estates, Interests or Charges, [describing such Tenements or Hereditaments,] but if such Party or Parties shall not be known, then to the Credit of the said Commissioners, subject to the Order, Controul or Disposition of the said Court of Exchequer; which said Court, on the Application of any Body or Bodies, Person or Persons, making claim to any such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and the same is hereby empowered, in a summary Way of Proceeding or otherwise, as the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Body or Bodies, Person or Persons making claim thereunto, and

and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

XXV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Body or Bodies, Person or Persons, to any Money to be paid into the Bank of *England* in the Name and with the Privy of the Accountant General of the Court of Exchequer, in pursuance of this Act, for the Purchase of any Houses, Buildings, Lands, Tenements or Hereditaments, or Part or Parts thereof, or of any Estate, Right, Title, Charge or Interest into or upon any Tenements or Hereditaments to be purchased or taken in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Body or Bodies, Person or Persons, who shall have been in the Possession of such Houses, Buildings, Lands, Tenements or Hereditaments, Parts, Shares, Estates, Interests or Charges, at the Time of such Purchase, and all Body or Bodies, Person or Persons claiming under such Body or Bodies, Person or Persons, or under the Possession of such Body or Bodies, Person or Persons, shall be deemed and taken to have been lawfully entitled to such Houses, Buildings, Lands, Tenements and Hereditaments, Parts, Shares, Estates, Interests or Charges, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Houses, Buildings, Lands, Tenements or Hereditaments, or Part or Parts thereof, or to some Estate or Interest therein or Charge thereon.

Persons in Possession deemed entitled, unless the contrary be shewn.

XXVI. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Body or Bodies, Trustee or Trustees, Corporation or other Person or Persons entitled to any Houses, Buildings, Lands, Tenements or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, to be purchased or taken under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from time to time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Commissioners for executing this Act,

The Court may order reasonable Expences to be paid by the Commissioners.

who shall from time to time pay such Sums of Money for such Purposes as the said Court shall direct.

Delivery of
Possession by
Tenants at
Will, &c.

XXVII. And be it further enacted, That every Tenant at Will or Lessee for a Year, or any other Person or Persons in Possession of any such Houses, Buildings, Lands, Tenements or Hereditaments, or any Part thereof, which shall be purchased by virtue of this Act, or vested in the said Commissioners for carrying this Act into Execution for the Purposes thereof, who shall have no greater Interest in the Premises than as Tenant at Will or Lessee for a Year or from Year to Year, shall, at the End of Six Calendar Months next after Notice in Writing, signed by the said Commissioners or their Secretary, shall have been given to him, her or them, or left at the Premises which are the Subject of such Notice, and whether such Notice be given with reference to the Time or Times of such Tenant's holding or not, quit and relinquish the said Premises unto the said Commissioners, or to such Person or Persons as shall be by them authorized to receive Possession thereof; and in case any such Lessee shall be compelled to quit before the Expiration of his or her Term or Interest in any such Premises, then and in such Case the said Commissioners shall give Satisfaction and Compensation for the Loss or Damage which he or she shall sustain thereby; and in case of Difference as to the Amount of such Satisfaction or Compensation, the same shall or may be settled and ascertained by a Jury, in the same Manner as the Sums of Money to be paid for the Purchase of any Lands or Hereditaments are hereinbefore directed to be ascertained; and that all and every Person or Persons, Bodies Corporate, Collegiate or Ecclesiastical, Corporations Aggregate or Sole, in Possession of any Houses, Buildings, Lands, Tenements or Hereditaments, or any Part of any Houses, Buildings, Lands, Tenements or Hereditaments, which shall or may be purchased in pursuance of this Act by the said Commissioners, or vested in them for any of the Purposes of this Act, shall, upon Payment or Tender as aforesaid of such Recompence or Satisfaction for any of his, her or their Term, Estate or Interest in the Premises, as shall be mutually agreed upon, or as shall be settled, ascertained and awarded by any Referee or Referees, or Umpire, or by the Verdict or Inquisition of a Jury, in manner aforesaid, quit and relinquish the said Premises so in their respective Possessions unto the said Commissioners, or to such Person or Persons as shall be by them authorized to receive Possession of the same; and all the Leases, Demises, Contracts and Agreements whatsoever, under or by virtue whereof any such Person or Persons shall hold the said Premises, shall at and from the End and Expiration of such Six Calendar Months, or upon such Payment or Tender as aforesaid, be absolutely void and of none Effect as against the said Commissioners; and if any such Tenant at Will or Lessee, or other Person or Persons, Bodies Corporate, Collegiate or Ecclesiastical, Corporations Aggregate or Sole, as aforesaid, shall refuse or neglect to deliver up the Premises in his, her or their Possession, at the Expiration of such Six Calendar Months, or upon such Payment or Tender as aforesaid, it shall be lawful for any Justice of the Peace for the City and Liberty of *Westminster* to issue his Precept or Warrant to the Constables of the said City and Liberty

Tenant at Will
refusing.

Proceedings.

of *Westminster* for the Time being, or any of them, or to any Person or Persons to be by such Justice appointed a Constable or Constables for that especial Purpose, commanding and requiring such Constable or Constables, or any of them, to cause Possession of the said Premises to be taken, and afterwards delivered to such Person or Persons as shall in such Precept or Warrant be nominated to receive the same on behalf of such Commissioners; and the said Constables and every of them are and is thereupon hereby authorized and required to cause such Possession to be taken and delivered accordingly.

XXVIII. And be it further enacted, That it shall and may be lawful for the said Commissioners acting in the Execution of this Act to take or use, for the Purposes of this Act, so much of the Burial Ground of the Parish of *Saint Martin in the Fields* as lies on the South Side of the said Church, as may be required for the Purpose; and the Ground so taken, and the Fee Simple and Inheritance thereof, shall be and are hereby vested in the King's Majesty, His Heirs and Successors, for the Purposes of this Act.

Commissioners may take the Burial Ground of St. Martin in the Fields.

XXIX. And be it further enacted, That the said Commissioners acting in Execution of this Act shall be and are hereby empowered and required, out of the Monies to be applied for the Purposes of this Act, to purchase or otherwise provide a Piece or Parcel of Ground, to be approved by the Lord Bishop of *London* and the Vicar of the Parish of *Saint Martin in the Fields* for the Time being, to be appropriated in enlarging that Part of the present Burial Ground as is situated on the North and East Sides of the said Church, such additional Ground to be used as and for a Burial Ground for the Parishioners of the said Parish of *Saint Martin in the Fields*, and to procure the same to be consecrated and settled for that Purpose, in such manner as the Lord Bishop of *London* for the Time being, or such Person as he shall appoint, shall direct; and to cause such Burial Ground to be made under Pavement, and inclosed in such manner as the Lord Bishop of *London* and the Vicar of the said Parish of *Saint Martin in the Fields* for the Time being shall approve; and the said Commissioners shall cause a proper Gate or Gates to be erected as an Entrance thereto, with Locks and other Fastenings; and such new Burial Ground, and the Soil thereof, and the Freehold and Inheritance of the same in Fee Simple, shall be vested in the same manner, and shall be subject to the same peculiar Jurisdictions and Visitations, as the present Burial Ground of the Parish of *Saint Martin in the Fields*.

Commissioners to provide a new Burial Ground.

XXX. And be it further enacted, That the Graves in the present Burial Ground of the Parish of *Saint Martin in the Fields*, on the South Side of the said Church aforesaid, shall be as little disturbed, and as little Damage shall be done to the Grave Stones therein, as reasonably may be.

The Graves to be disturbed as little as may be.

XXXI. And be it further enacted, That whenever it shall be necessary, in pursuance and execution of this Act, to open or disturb any Grave or Graves, or any Burial Vault or Vaults, in the said present Burial Ground of the Parish of *Saint Martin in the Fields*, on the South Side of the said Church aforesaid, it shall be lawful for the Heirs, Executors, Administrators, Relations or Friends of any Person or Persons who shall have been interred or deposited

Bodies disturbed to be removed.

deposited in such Grave or Graves, Vault or Vaults, with the Consent of the Vicar and Churchwardens of the said Parish, or the major Part of them, to remove and carry away the Remains of any such Person or Persons, and place the same in such new Burial Ground, or any other Churchyard or Consecrated Ground, in such manner as the Lord Bishop of *London* for the Time being or such Person as he may appoint shall direct; and that the Expences of such removing, carrying away, and placing (not exceeding in any one Case the Sum of Ten Pounds), shall be paid by the said Commissioners acting in the Execution of this Act, out of the Monies to be applied for the Purposes of this Act; and that the Remains of such Person or Persons as shall have been interred or deposited in the Graves or Vaults so to be opened and disturbed as aforesaid, which shall not be removed or carried away as aforesaid, shall (except such Graves or Vaults shall be finally closed up), at the Expence of the said Commissioners acting in the Execution of this Act, to be paid out of the Monies to be raised by virtue of this Act, be removed from such Graves or Vaults into and be interred in such new Burial Ground as aforesaid, in such manner as the Lord Bishop of *London* for the Time being or such Person as he shall appoint shall direct.

Grave Stones to
be removed.

XXXII. And be it further enacted, That the Grave Stones laid in the said Burial Ground of the Parish of *Saint Martin in the Fields* on the South Side of the said Church, shall be removed into and put up and laid in such new Burial Ground as aforesaid, in such manner as the Lord Bishop of *London* for the Time being or such Person as he shall appoint, shall direct, and the Expence thereof defrayed by the said Commissioners acting in the Execution of this Act, out of the Monies to be raised by virtue of this Act.

XXXIII. And Whereas the Vicar of the said Parish of *Saint Martin in the Fields* is seised and possessed of Eleven Messuages or Dwelling Houses, with their Appurtenances, situate, lying and being in *Saint Martin's Lane*, and the Churchyard of and in the said Parish of *Saint Martin in the Fields* aforesaid, belonging to the said Vicarage, and Part of the Glebe thereof, Ten of which said Messuages or Dwelling Houses are subject to Leases granted thereof by the said Vicar or his Predecessors for Terms of Forty Years, commencing at different Periods, renewable at the End of every Fourteen Years, under certain annual Rents, amounting together to the Sum of Sixty Pounds or thereabouts; and the other of the said Messuages or Dwelling Houses is now in the Occupation of the said Vicar: And Whereas the said several Messuages or Dwelling Houses, with their Appurtenances, are Part of the Premises described in the hereinbefore mentioned Plan, and the same being required to carry into effect and complete the Improvements hereinbefore mentioned, the said Commissioners for executing this Act have agreed with the said Vicar, by and with the Consent and Approbation of the Lord Bishop of *London*, for a Conveyance to be made to the said Commissioners of all the Right, Title and Interest of the said Vicar in and to the several Messuages or Dwelling Houses and Premises hereinbefore mentioned, in exchange for a Conveyance by the said

“ said Commissioners on the Part of His Majesty, His Heirs and Successors, to the said Vicar and his Successors, of Freehold Messuages or Dwelling Houses, Buildings and Premises, belonging to the Crown, situate within the Cities of *London* or *Westminster*, the same being of equal Rent and Value;’ Be it therefore enacted, That it shall and may be lawful for the said Commissioners for executing this Act, and for the Vicar of the said Parish of *Saint Martin in the Fields* for the Time being, to contract and agree for a Conveyance to the said Commissioners of all the Right, Title and Interest of the said Vicar in and to the said Eleven several Messuages or Dwelling Houses, with the Appurtenances, so vested in him as aforesaid, in exchange for a Conveyance by the said Commissioners, on the Part of His Majesty, His Heirs or Successors, to the said Vicar and his Successors, of Freehold Messuages or Dwelling Houses and Hereditaments belonging to the Crown, situate and being in the said Cities of *London* and *Westminster*, or One of them, of equal Rent and Value; and the said lastmentioned Messuages or Dwelling Houses and Premises shall, when so conveyed as aforesaid, be held by the said Vicar and his Successors, to, for and upon, and under and subject to such and the same Trusts, Ends, Intents and Purposes, as the said several Messuages or Dwelling Houses and Hereditaments so to be conveyed by him to the said Commissioners, in exchange as aforesaid, are now subject to; provided, that it shall not be lawful for the said Vicar and his Successors at any Time hereafter to grant any Lease or Leases of the said several Messuages or Dwelling Houses and Hereditaments so to be conveyed to the said Vicar in exchange as aforesaid, or any of them, without reserving to the said Vicar and his Successors for the Time being for ever, such clear annual Rent or Rents as shall be equal to One Moiety or Half Part at least of the gross yearly Value of the Premises to be comprised in and demised by such Lease or Leases; such Rents or Rent to be made payable to the Vicar of the said Parish and his Successors during the whole Term or Time of the Continuance of such Lease or Leases respectively.

XXXIV. Provided always, and be it further enacted, That it shall and may be lawful to and for the Churchwardens of the Parish of *Saint Martin in the Fields* aforesaid, and they are hereby authorized and empowered, to place or cause to be placed a Bar or Chain extending across the Carriageway at the West End of the said new Street to be made on the South Side of the said Church as aforesaid, in order to prevent Noise by the passing and repassing of Carriages along the said Street during the Time of Divine Service on *Sundays*, and on *Christmas Day*, *Good Friday*, and *Fast* or *Thanksgiving Days* by Proclamation; provided that such Bar or Chain shall not be used at any other Time or Times than during the Time of Divine Service as aforesaid.

XXXV. And be it further enacted, That if the said Commissioners for carrying this Act into Execution shall deem it necessary and expedient, for the Purpose of making the Alterations and Improvements hereinbefore in this Act mentioned, to take down and remove the Workhouse, Parochial School, and Library and Free School thereto adjoining, on the West Side of *Saint Martin’s Lane*, and South Side of *Hemming’s Row* aforesaid, and the Watchhouse

Commissioners may contract with Vicar of *St. Martin in the Fields* for Conveyance of certain Messuages belonging to the said Vicarage, in exchange for Messuages belonging to the Crown.

No Lease to be granted by Vicar, of such Messuages, without reserving a Rent equal to Half Value.

Churchwardens may place a Bar or Chain across the West End of the new Street during Divine Service on *Sundays*, &c.

Commissioners may take down the Workhouse, Schools, &c. and rebuild them elsewhere.

Buildings
not to be taken
down until
others provided.

Commissioners
may erect a new
Workhouse and
other Parochial
Buildings, to
be used as the
present Pa-
rochial Build-
ings are.

Such new
Buildings
vested in the
same Persons
as the present
Buildings are;
and the old
Buildings
vested in His
Majesty for the
Purposes of
this Act.

house belonging to the said Parish of *Saint Martin in the Fields*, and the Vestry Room and Sexton's Office adjoining the said Parish Church, or any or either of them, and to rebuild the same, or any or either of them, in different Situations and Positions, then and in such Case the same Commissioners shall be and they are hereby authorized and empowered, at such Time or Times as they shall think proper, to take down the said Workhouse, Parochial School, Library and Free School, Vestry Room, Sexton's Office and Watchhouse respectively, or any of them: Provided always, that it shall not be lawful for the said Commissioners to take down all or any of such Parochial Buildings until they shall have provided proper Sites and erected other Buildings of the like Description in lieu thereof, for the Use of the said Parish.

XXXVI. And be it further enacted, That the said Commissioners for effecting the Purposes of this Act shall and may, with and out of the Monies to be raised by virtue hereof, provide a proper Site or Sites of at least equal Extent and Dimensions as the present Sites and Areas of the said Parochial Buildings, as may be most fit and convenient, and as shall be approved by the Vicar and Churchwardens of the said Parish for the Time being, with the Consent of the Vestrymen of the said Parish, to be expressed by a Minute in their Order Books, upon some Part of the Ground which shall become vested in His Majesty by virtue of this Act, or shall be provided for this Purpose in the said Parish of *Saint Martin*, and shall cause or procure to be erected and substantially built upon such Sites a new and convenient Workhouse, Parochial School, Library and Free School, Vestry Room, Sexton's Office and Watchhouse, or such and so many of them as shall be by the said Commissioners intended to be so taken down and removed as aforesaid, of at least equal Dimensions with the present Buildings and their Areas respectively, and shall cause the same to be completed, finished and fitted up upon such Plans and in such manner as shall be approved of from time to time by the Authority and in manner aforesaid, and to be for ever thereafter used and appropriated in such and the like Manner and for such and the like Purposes, as the present Parochial Buildings and their Areas are and have been used and enjoyed; and all the Costs, Charges and Expences attendant upon and arising from the Removal of the Inmates, Stores, Goods and Fixtures from the old to the new Workhouse, Parochial School and other Buildings, shall be paid, borne and discharged by the said Commissioners for carrying this Act into Execution, by and out of the Monies to be raised by them for the Purposes of this Act.

XXXVII. And be it further enacted, That from and immediately after such new Workhouse, Parochial School, Library and Free School, Vestry Room, Sexton's Office and Watchhouse, or any of them, shall have been respectively erected and finished as aforesaid, the same several Buildings and the Ground whereon the same shall be erected and built, shall be and become vested, by virtue of this present Act, in the Person or Persons, Body or Bodies Corporate, his, her or their Heirs or Successors, in whom the Buildings in lieu of which the same shall be respectively erected and built would have been vested in case this present Act had not been passed; and that, after such new Parochial Buildings shall be

be completed, the present Workhouse, Parochial School, Library and Free School, Vestry Room, Sexton's Office and Watchhouse of the said Parish, or such of them in lieu of which such new Buildings shall be erected and built as aforesaid, shall thereupon be and become vested in the King's Majesty, His Heirs and Successors, for ever, and shall and may be taken down, made use of and employed for the Purposes of this Act, according to the Directions of the said Commissioners for executing the same, and under the Regulations in this Act mentioned and contained.

XXXVIII. Provided also, and it is hereby further enacted, That all Erections and Buildings which may be hereafter erected and built on the Site of the said Workhouse, Parochial School, Library and Free School, Vestry Room, Sexton's Office and Watchhouse, or such of them as shall be so taken down as aforesaid, shall be subject and liable to such and the same Rates and Charges for the Relief of the Poor, and for paving, cleansing, lighting, watching and all other Parochial Rates, Charges and Assessments whatsoever, as any Houses, Erections and Buildings in the said Parish of *Saint Martin in the Fields* shall from time to time be subject and liable to.

Buildings erected on Site of the present Workhouse to be rateable as other Buildings.

XXXIX. And be it further enacted, That all the Clauses and Provisions hereinbefore contained for authorizing the said Commissioners acting in the Execution of this Act to purchase, and all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Tenants in Tail or for Life, Husbands, Guardians or Trustees, Feoffees in Trust, Committees, Executors, Administrators and all other Trustees and Persons, to contract to sell and convey the Tenements or Hereditaments to be purchased for the Purposes of making the said several Alterations and Improvements hereinbefore mentioned, and for regulating the Payment of the Purchase Money for the same, shall extend and be applicable to the Ground, Tenements or Hereditaments which shall be deemed proper to purchase for the Purposes of erecting the said new Workhouse, Parochial School, Library and Free School, Vestry Room, Sexton's Office and Watchhouse, or any of them, for the said Parish of *Saint Martin* aforesaid, in such and the same manner, to all Intents and Purposes, as if all the said Clauses, Provisions and Regulations were repeated and adapted thereto: Provided nevertheless, that nothing herein contained shall authorize the said Commissioners acting in the Execution of this Act to purchase any Tenements or Hereditaments not included in the Plan and Book of Reference hereinbefore mentioned, for the Purposes of such Buildings, against the Consent of the Persons interested therein, and hereby authorized to contract to sell and convey the same.

Provisions for Sale and Conveyance of Tenements, &c. to apply to those purchased for erecting Workhouse, &c.

No Purchase of Tenements, &c. included in Plan, without Consent.

XL. And be it further enacted, That the said Commissioners for executing this Act shall and they are hereby authorized from time to time to appoint fit and convenient Places in such of the Streets, Squares, Ways, Passages and Places to be made and improved under or by virtue of this Act, or which have been made or improved by the said recited Act, as they shall deem proper, for the Stands for Hackney Coaches, Hackney Chariots and Cabriolets.

Commissioners to appoint Stands for Hackney Coaches, &c.

XLI. And be it further enacted, That if any Waggon, Cart or other Carriage shall be left to stand or remain in any of the Streets, Squares,

Carts, &c. remaining in Streets longer

than is necessary for loading or unloading.

Squares, Ways, Passages and Places to be made, altered or improved under or by virtue of this Act, with or without Horses, for any longer Time than shall be necessary for the loading and unloading thereof; or if any Hackney Coach, Hackney Chariot, Cabriolet, Stage Coach, Post Chaise or other Carriage let to hire, shall be left to stand or remain in any of such Streets, Squares, Ways, Passages or Places, other than in such Situations as shall be appointed for Stands for such Carriages as aforesaid, with or without Horses, for any longer Time than shall be reasonable and necessary for taking up or setting down Passengers, for loading or unloading their Baggage or other Loading (except for Repair in case of Accidents); then and in every such Case the Owner or Driver of every such Carriage shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalty.

Sewers or Drains to be arched over or filled up.

XLII. And be it further enacted, That it shall be lawful for the said Commissioners for carrying this Act into Execution, and they are hereby authorized and empowered, out of the Monies to be raised by virtue of this Act, to cause to be arched over or filled up all the Sewers and Drains, or Part or Parts thereof, within the said City or Liberty of *Westminster* which shall lie and be in or near the said Streets, Ways and Places to be erected and built, altered, repaired or improved under or by virtue of this Act, as shall appear necessary for the completing the Purposes of this Act, so as that no public Sewer or Drain whatsoever, or any private Drain, shall be in anywise disturbed, injured or prejudiced, without another Drain or Sewer being made in lieu thereof, equally serviceable and convenient to the Individual or Neighbourhood: Provided always, that at the Time of filling up any Sewer or Drain, or Part thereof as aforesaid, the said Commissioners for carrying this Act into Execution shall cause to be made and built, as shall be required by the Commissioners of Sewers, other good and sufficient Sewers and Drains of the same or greater Size or Capacity, and upon the same or lower Levels than the Sewers or Drains which shall be filled up; and when made and completed, the said respective Sewers and Drains shall be under the Jurisdiction, Care and Management of His Majesty's Commissioners of Sewers for the District or Place in which the same shall be situate: Provided always, that in case the said Commissioners of Sewers shall require any Sewer or Drain, or Part or Parts of any Sewer or Drain, that may be destroyed or altered under the Authority of this Act, or any new Sewer or Drain, to be built or made of enlarged Capacity, and shall give Notice to the said Commissioners for carrying this Act into Execution, or their Surveyor or Architect for the Time being, of such their Desire, before such Sewer or Drain shall be begun to be rebuilt or altered, then and in every such Case such Sewer or Drain shall be built or made of enlarged Dimensions, as the said Commissioners of Sewers may require; and such lastmentioned Commissioners shall bear and pay the Difference in Expence that may be occasioned by such enlarged Capacity.

Provided.

For paving, lighting and watching the Streets, &c. under this Act.

XLIII. And be it further enacted, That in the designing and laying out, opening and making such Streets or Places, and in the erecting or rebuilding such Dwelling Houses and other Buildings as above mentioned, the said Commissioners shall, by and out of the

the Monies to be raised by virtue of this Act, in a substantial and workmanlike manner, fill in all and every the Vaults, Cellars and open Places over which it may be necessary to new pave, except such as shall be used again as Cellars, Vaults or Areas, with good sound hard Brick Rubbish or other sound and proper Materials, to be well rammed down every Three or Four Inches thick, to prevent the Ground from giving way; and do and shall, out of the Monies so to be raised as aforesaid, well and effectually pave over all the Ground of the said new intended Streets and Places with the Materials of the present Pavement, as far as they will extend, and with a sufficient Quantity of new Materials of like Quality and Dimensions, to supply the Deficiency; and shall and will, in like manner and by the like Means, relay and repair all and every Part of the Streets, Ways, Courts and Passages which they shall disturb or alter in carrying the Purposes of this Act into execution; and more over, that the said Commissioners shall, by and out of the same Monies, provide, place and affix proper and substantial Lamp Irons, with Lamps and Burners for lighting the said new intended Streets and Places, of equal Dimensions and Quality, and at the like Distances from each other, and painted and finished in the like Manner as other Lamp Irons and Lamps in the said respective Parishes; and also in like manner provide, place and affix, at proper Distances from each other, good and substantial Watch Boxes for the Watchmen of each of the said respective Parishes: Provided nevertheless, that nothing herein contained shall extend or be construed to extend to charge the said Commissioners with repairing or making good such Pavements, Lamps, Lamp Irons or Watch Boxes in future, but from and after the same shall be so paved, relaid and repaired as aforesaid, and such Lamps, Lamp Irons and Watch Boxes provided and finished as aforesaid, the same shall for ever after be kept in repair by and at the Expence of the said Parishes to which the same shall respectively belong; and that the Right and Property of all Pavements, Stones, Bricks, Posts, Lamps, Lamp Irons, Lamp Posts and Watch Boxes so to be laid, erected and fixed up as aforesaid, shall belong to and be the Property of the said respective Parishes, in the same Manner as Things of a like Description in other Parts of the said Parishes respectively are at present vested by Law.

Commissioners
not to be
chargeable
with future
Repairs.

‘ XLIV. And Whereas, by reason of the taking down of the
‘ several Dwelling Houses and other Buildings required for the
‘ Purposes of this Act, a Deficiency may arise in the Produce of
‘ the annual Stipends, *Easter Dues*, Obventions or Oblations, and
‘ also in the annual Produce of Church Duties for Burials, Mar-
‘ riages and Christenings (usually called Surplice Fees and Burial
‘ Ground Fees), and other Perquisites and Payments payable in
‘ respect thereof to the Vicars, Rectors, Churchwardens, Clerks
‘ in Orders, Sextons and other Officers belonging to the respective
‘ Churches of the Parishes herein mentioned;’ Be it therefore
enacted, That the said Commissioners shall yearly and every Year
pay and make good, or cause to be paid and made good, unto the
Vicars or Rectors of the said respective Parishes for the Time
being, for the Use of themselves and the Clerks in Orders and other
Officers respectively, all such Deficiencies as shall or may arise or
happen by reason or means of any Thing done in the Execution of
this

Indemnity to
Vicar, &c. for
Church Dues.

this Act, in the Produce of the said annual Stipends, *Easter Dues*, Oblations or Obventions, and Church Duties above mentioned, from and after *Easter Tuesday* which will be in the Year of our Lord One thousand eight hundred and twenty seven; which Deficiencies shall be estimated and ascertained conclusively at or upon the Average Produce of such annual Stipends, *Easter Dues*, Oblations or Obventions, and Church Duties respectively, for the Three Years immediately preceding *Easter Tuesday* One thousand eight hundred and twenty six, compared with the Produce thereof for each subsequent Year, and the first yearly Payment of which Deficiencies shall be made on *Easter Tuesday* One thousand eight hundred and twenty eight.

Commissioners to make up Deficiencies of Land Tax until new Buildings are assessed;

‘ XLV. And Whereas, by reason of taking down Houses and Buildings, and making Alterations in pursuance of this Act, there may be Deficiencies in the Assessments for Land Tax in the several Parishes herein mentioned;’ Be it therefore enacted, That for preventing the same the said Commissioners shall, from and after they have purchased any Premises charged with the Land Tax, and until the several Buildings which shall be erected and built under and by virtue of this Act shall be completed and assessed to such Land Tax (unless the said Commissioners shall think fit to redeem the same under the Powers of the Acts for the Redemption of the Land Tax), be subject and liable from time to time to pay and make good to or in aid of any such Parish, out of the Monies to arise by virtue of this Act, all such Sum and Sums of Money as shall be deficient in the said several Assessments for Land Tax within such Parish by reason or means of taking down or using for the Purposes of this Act any Houses, Buildings or Premises liable to such Assessments, according to the Rental at which the same were valued or rated at the Time of passing this Act; and the said Commissioners shall be and they are hereby authorized and required to pay all such Assessments, on Demand thereof, to the Collector or Collectors of the Land Tax Assessments.

as also Deficiencies in Assessments for the Poor, Paying Rates, &c.;

‘ XLVI. And Whereas, for the Reason above mentioned, there may be Deficiencies in the Produce of the Assessments for the Relief of the Poor, and making certain Payments directed by Act of Parliament to be made out of the Poor’s Rate, and for paying, cleansing, lighting and watching the said Parishes respectively, and occasionally for repairing and amending the Churches, Steeples, Churchyards and Vestry Rooms belonging to the same Parishes respectively;’ Be it therefore enacted, That the said Commissioners shall yearly and every Year, from and after the respective Times of first making the said respective Assessments, after the passing of this Act, pay and make good, or cause to be paid and made good to the said Parishes respectively, all such Sum and Sums of Money as shall be deficient in respect of the Produce of the said several Rates or Assessments, by reason or means of the carrying this Act into Execution; the same Deficiencies to be calculated and ascertained by the Amount of such Rates or Assessments as shall have been actually collected in respect of the Houses and Buildings shut up, taken down or used by virtue of this Act, upon an Average of Three Years next preceding the passing of this Act, according to the several Pound Rates

Rates to be assessed from time to time on the Inhabitants of the other Parts of the said Parishes respectively, and shall pay the same accordingly to the several Collectors of the said Rates and Taxes, quarterly or otherwise, as the same shall become due; the said Commissioners being first allowed a Deduction thereof of the Amount of the said several Rates and Taxes which may from time to time be assessed on and payable for or in respect of the new Houses and Buildings which may be erected and built under or by virtue of this Act: Provided always, that whenever by the Operation of this Act the Produce or Payments in respect of the several and respective Assessments for the Relief of the Poor, paving, cleansing, lighting and watching, and for repairing the Churches, Steeples, Churchyards and Vestry Rooms of the said Parishes respectively, of and for all such Houses, Buildings, Tenements and Hereditaments whatsoever, as for the Time being shall be standing upon the Line of the said intended new Streets and Places, shall amount to a larger Sum of Money than the Sums which would have been received or collected from the Houses, Buildings, Lands, Tenements and Hereditaments situate within the said Parishes respectively, which shall be pulled down, taken or used for the Purposes of this Act, according to the Amount of such Rates or Assessments as shall have been actually collected in respect of such lastmentioned Houses, Buildings, Lands, Tenements and Hereditaments, upon an Average of Three Years next preceding the passing of this Act as aforesaid, that then the aforesaid Payments on account of Deficiencies in the said annual Stipends, *Easter Dues*, Obventions or Oblations, Church Duties, Poor Rates, paving, cleansing, lighting and watching and for repairing the Churches, Steeples, Churchyards and Vestry Rooms of the said Parishes respectively, shall severally cease and determine, and then also, and from thenceforth, the Surplus (if any there shall be) in the said Rates or Assessments shall be applied and paid to the said Commissioners for executing this Act, towards reimbursing them what they shall have paid for or in respect of the aforesaid Deficiencies on the said respective Accounts, and so from time to time, when and as often as there shall be any Surplus on the said respective Accounts, until the said Commissioners shall be wholly reimbursed and repaid all Monies which they shall have disbursed in respect of such Deficiencies: Provided that nothing herein contained shall extend or be construed to extend to compel the Rectors for the Time being, or any or either of them, to pay or refund any Sum or Sums of Money in respect of the Difference of *Easter Offerings*, Oblations, Obventions or Church Dues.

which shall be reimbursed when the Rent shall exceed the present Amount.

‘ XLVII. And in order to enable the said Commissioners for executing this Act to carry the several Purposes thereof into Execution;’ Be it further enacted, That it shall and may be lawful to and for the said Commissioners for executing this Act, by and with the Consent and Approbation in Writing of the said Lord High Treasurer, or of the said Commissioners for executing the Office of Lord High Treasurer, or any Three or more of them, and notwithstanding any Provision, Restriction or Clause contained in any Act or Acts of Parliament relating to His Majesty’s Land Revenue, or to any Property under the Management of the

Power to borrow Money on Mortgage of Houses, &c.

Commissioners of His Majesty's Woods, Forests and Land Revenues, to borrow and take up at Interest from time to time such Sum or Sums of Money, not exceeding in the whole the Sum of Four hundred thousand Pounds, as they the said Commissioners for executing this Act, with such Consent and Approbation as aforesaid, shall judge necessary for the Purposes of this Act, on Mortgage of all or any Part or Parts of the Houses, Buildings, Lands, Tenements and Hereditaments of or belonging to His Majesty, His Heirs and Successors, in the Lines of the said Streets and Places which have been purchased, erected, built, altered, repaired and improved under or by virtue of the said recited Act of the Fifty third Year of the Reign of His late Majesty King George the Third, as aforesaid, situate, lying and being between *Pall Mall* on the South, *Portland Place* on the North, *Saint James's Street* on the West, and the *King's Mews* on the East, or any or either of the said lastmentioned Streets or Mews; and for securing the Repayment of the said Sum of Four hundred thousand Pounds, or any Part or Parts thereof, with Interest for the same, with such Consent and Approbation as aforesaid, to grant, demise, mortgage or otherwise convey all or any Part or Parts of the same Houses, Buildings, Lands, Tenements and Hereditaments respectively, unto any Person or Persons who shall lend and advance such Sum or Sums of Money respectively, his, her or their Heirs, Executors or Administrators, or to whom he or they shall appoint, either in Fee or for any Term of Years; so that every such Grant, Mortgage or Security be made with a Proviso or Condition to cease and be void, or with an express Direction or Condition to be conveyed, surrendered or assigned, when such Sum or Sums of Money thereby to be secured, and the Interest thereof, shall be fully paid and satisfied; and every such Grant, Mortgage or Security shall be in the Form or to the Effect following; (that is to say,)

Form of Mortgage.

‘ *A. B. and C. D.*, Two of the Commissioners of His Majesty's Woods, Forests and Land Revenues, being duly authorized by the Lords Commissioners of His Majesty's Treasury, and acting in pursuance of an Act passed in the Seventh Year of the Reign of His Majesty King George the Fourth, intituled [*here set forth the Title of this Act*], in consideration of the Sum of _____ lent and advanced by *E. F.* of _____ to the Commissioners of His Majesty's Woods, Forests and Land Revenues, upon the Credit and for the Purposes of the said Act, do, by and with the Consent and Approbation of the Commissioners of His Majesty's Treasury, and for and on Behalf of His Majesty, grant, mortgage and convey unto the said *E. F.*, his Heirs, Executors, Administrators or Assigns, [*or if by Demise, then say,*] do grant, mortgage and demise unto the said *E. F.*, his Executors, Administrators or Assigns, or to his Trustee or Trustees [*as the Case may be*], all [*here insert the Parcels*], to hold to the said *E. F.*, his Heirs and Assigns, for ever, [*or if for a Term, then say,*] to hold to the said *E. F.*, his Executors, Administrators or Assigns, for a Term of _____ Years, to be computed from the Date hereof, for securing the Repayment of the said Sum of _____ with Interest for the same after the Rate of _____

per
Centum

‘ *Centum per Annum*, such Interest to be paid by Half yearly
 ‘ Payments: Provided, and these Presents are upon this express
 ‘ Condition, that the Grant and Conveyance [*or Demise, as the*
 ‘ *Case may be,*] hereby made shall cease and be void when and as
 ‘ soon as the said Sum of _____ and the Interest thereof
 ‘ as aforesaid, shall be fully paid and satisfied [*here may be intro-*
 ‘ *duced any special Clauses respecting the Time and Manner of*
 ‘ *Payment which may be agreed upon between the Parties*]. In
 ‘ witness whereof the said A. B., C. D. and E. F. have hereunto
 ‘ set their Hands and Seals, the _____ Day of _____
 ‘ _____ in the Year of our Lord _____

And every such Grant, Mortgage or Security shall be good and valid, notwithstanding any such Provisions, Restrictions or Clauses contained in any such Act or Acts of Parliament as aforesaid, and shall entitle the Person or Persons to or in trust for whom the same shall be made, his, her or their Heirs, Executors, Administrators or Assigns, to the Payment of the Sum or Sums of Money and Interest secured by any such Grant, Mortgage or Security, according to the true Intent and Meaning thereof, and of this Act; and the Costs, Charges and Expences of every such Grant, Mortgage or Security, shall be from time to time defrayed by the said Commissioners for executing this Act, out of the Money so borrowed.

Validity of
Mortgage, &c.

XLVIII. Provided always, and be it enacted, That in case the said Commissioners for executing this Act can at any Time borrow or take up any Sum or Sums of Money at a lower Rate of Interest than the Assignments which shall be then in force shall bear, it shall and may be lawful to and for the said Commissioners, by and with such Consent and Approbation as aforesaid, from time to time to charge the said Rents and Profits, in manner aforesaid, with such Sum or Sums of Money as they shall think proper, and the Interest thereof at such low Rate as aforesaid, and to pay off and discharge the Assignments bearing a higher Rate of Interest, according to the Regulations and Directions herein prescribed for paying off such Assignments.

Power to bor-
row Money at
lower Interest,
to discharge
Securities at a
higher Rate.

‘ XLIX. And Whereas by an Act passed in the Fifty seventh
 ‘ Year of the Reign of His late Majesty King George the Third,
 ‘ intituled *An Act to authorize the Issue of Exchequer Bills, and*
 ‘ *the Advance of Money out of the Consolidated Fund, to a limited*
 ‘ *Amount, for the carrying on of Public Works and Fisheries in*
 ‘ *the United Kingdom, and Employment of the Poor in Great Bri-*
 ‘ *tain, in manner therein mentioned,* certain Commissioners therein
 ‘ named and appointed are authorized and empowered to issue and
 ‘ advance Exchequer Bills, under the Directions and Regulations
 ‘ therein specified, for the carrying on of Public Works in Great
 ‘ Britain; and by another Act passed in the said Fifty seventh
 ‘ Year of His said late Majesty’s Reign, intituled *An Act to amend*
 ‘ *an Act made in the present Session of Parliament, for authorizing*
 ‘ *the Issue of Exchequer Bills and the Advance of Money for*
 ‘ *carrying on of Public Works and Fisheries, and Employment of*
 ‘ *the Poor,* the Powers of the said firstmentioned Act are en-
 ‘ larged and extended: And Whereas by an Act passed in the
 ‘ First Year of the Reign of His present Majesty, intituled *An*
 ‘ *Act to amend and continue Two Acts passed in the Fifty seventh*

Commissioners
under
57 G.3. c.94.

57 G.3. c.124.

1 G.4. c.60.

3 G. 4. c. 86.

5 G. 4. c. 36.

may advance
400,000*l.* in
Exchequer
Bills to the
Commissioners
under this Act.

Security to be
taken for Re-
payment of
such Exche-
quer Bills.

Monies to be
paid into the
Bank of Eng-
land.

Year of His late Majesty King George the Third, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on of Public Works and Fisheries, and Employment of the Poor, and to extend the Powers of the Commissioners for executing the said Acts in Great Britain; and by another Act passed in the Third Year of the Reign of His present Majesty, intituled An Act to amend Two Acts of the Fifty seventh Year of His late Majesty and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries, and Employment of the Poor; and to authorize a further Issue of Exchequer Bills for the Purpose of the said Acts; and also by another Act passed in the Fifth Year of the Reign of His present Majesty, intituled An Act to amend the Acts for the Issue of Exchequer Bills for Public Works, the Powers of the said Two Acts passed in the said Fifty seventh Year of His said late Majesty are altered, amended and enlarged: And Whereas it would tend to facilitate the carrying the several Improvements hereinbefore mentioned into effect, if the said Commissioners for the Issue of Exchequer Bills, acting in Execution of the said last recited Acts, were authorized and empowered to advance to the said Commissioners acting in the Execution of this Act any Sum not exceeding the Sum of Four hundred thousand Pounds, to be secured in manner hereinbefore mentioned; Be it therefore enacted, That it shall and may be lawful to and for the Commissioners for the Issue of Exchequer Bills, acting under the said recited Acts, and they are hereby authorized and required, on Application being made to them by the said Commissioners acting in Execution of this Act, to advance to them, or as they may direct or appoint, any Sum or Sums of Money in Exchequer Bills, not exceeding in the whole the Sum of Four hundred thousand Pounds, upon the Terms and Conditions hereinafter mentioned.

L. And be it further enacted, That upon the said Commissioners for the Issue of Exchequer Bills making such Advance to the said Commissioners acting in the Execution of this Act, the said lastmentioned Commissioners shall execute a Mortgage to the Effect hereinbefore directed and set forth, to the said Commissioners for the Issue of Exchequer Bills, in such Form and to such Person or Persons as they shall direct or appoint, of the several Houses, Buildings, Lands, Tenements and Hereditaments hereinbefore authorized and directed to be mortgaged, or of a competent Part thereof, for securing the Repayment of the said Exchequer Bills, by an annual Instalment of at least Two and a Half *per Centum* on the Principal Money advanced as aforesaid, with Interest at the Rate of Four *per Centum per Annum* from the Date of the said Exchequer Bills, on such Part of the Principal Money as shall from time to time remain due and unpaid; any Thing in the said recited Acts of the Fifty seventh Year of the Reign of His late Majesty King George the Third, or the First, Third and Fifth Years of His present Majesty, or either of them, to the contrary thereof notwithstanding.

LI. Provided always, and be it further enacted, That all Sums of Money, Bills and Drafts which shall be received by the said Commissioners for executing this Act, shall, from time to time, within

within Two Days after the same shall have been received, or within Two Days after any Bill shall have been accepted, completed and perfected, if the same shall not be accepted, completed and perfected at the Time it shall be received by the said Commissioners, be paid by them into the Hands of the Governor and Company of the Bank of *England*, for which the Receipt of the Cashier or Cashiers of the said Governor and Company shall be a sufficient Discharge; and all such Monies, Bills and Drafts so to be paid to the said Governor and Company shall from time to time be placed to an Account raised in Books of the said Governor and Company, under the Directions and Authority of the said recited Act of the Fifty third Year of the Reign of His late Majesty King *George* the Third as aforesaid, intituled "The Account of the Commissioners of His Majesty's Woods, Forests and Land Revenues, being the "New Street Account," and shall be applied and disposed of by them the said Commissioners for executing this Act for and towards the carrying the several Purposes thereof into Execution.

LII. Provided nevertheless, and be it further enacted, That it shall and may be lawful for the said Commissioners for executing this Act to reserve out of the Monies to be received by them by virtue of this Act, for casual and ordinary Payments for the Purposes thereof, in the Hands of any private Banker to be nominated by any Writing under the Hand of the said Lord High Treasurer or the Hands of the said Commissioners for executing the Office of Lord High Treasurer, or any Three or more of them, a Sum not exceeding Three thousand Pounds, to be drawn for by the said Commissioners for executing this Act, or any One of them; and if at any Time the Sum so reserved shall be reduced below Three thousand Pounds, then it shall be lawful for the Commissioners for executing this Act from time to time to make up the same to the Sum of Three thousand Pounds, by Drafts under their Hands upon the Funds to be deposited in the Hands of the Governor and Company of the Bank of *England* as aforesaid.

Commissioners may retain a Sum for current Expences in the Hands of a private Banker.

LIII. And be it further enacted, That the Commissioners for executing this Act shall make all Payments required to be made out of the Monies to be deposited in the Bank of *England* by Drafts under their Hands on the said Bank, and shall specify on each such Draft the particular Service, Salary or other Charge, Purpose or Cause for which such Draft shall be given; and every such Draft shall also have marked in the Margin thereof a Figure corresponding to the Page in a Book to be kept by the said Commissioners, wherein Entry shall be made of the particular Service, Salary or other Charge, Purpose or Cause for which such Draft shall be given.

Drafts on the Bank of *England* to specify the particular Service.

LIV. And be it further enacted, That all Drafts drawn pursuant to the Directions of this Act, but not otherwise, shall be sufficient Authority to the Bank of *England* to pay the Amount thereof to the Persons mentioned in such Drafts, or to the Bearer of them; and that the said Commissioners for executing this Act, observing the Rules and Regulations hereby prescribed, shall not be answerable, either collectively or individually, for any Money which they the said Commissioners, or any or either of them, shall have so paid into the Bank of *England*; and that the Governor and Company of the Bank of *England* shall be answerable for all the

Drafts shall be Authority to the Bank.

Monies which shall be actually received by them from such Commissioners.

Power to remove Projections and Encroachments.

LV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners for executing this Act to take down, take away, remove, alter or regulate, in such manner as they shall from time to time judge proper, all Signs or other Emblems used to denote the Trade, Occupation or Calling of any Person or Persons, and all Sign Irons, Sign Posts and other Posts, Sheds, Penthouses, Spouts, Gutters, Steps, Stairs, Bow and other projecting Windows, Window Shutters, Palisades and other Encroachments, Projections and Annoyances belonging or which shall hereafter be affixed or belong to any House or Houses or other Buildings, and which do and shall in their Judgment obstruct the free and commodious Passage along the Carriage or Footways of any of the Streets, Squares and Places to be made, widened, altered, stopped up and improved by virtue of this Act; and also to cause the Water to be conveyed from the Roofs, Cornices, Eaves and Penthouses of or belonging to such Houses or other Buildings respectively, by proper Trunks or Pipes to be affixed to the Sides of such Houses or other Buildings respectively; and that the Costs, Charges and Expences attending the taking down, taking away, removing, altering or regulating such Signs, Sign Irons, Sign Posts and other Posts, Sheds, Penthouses, Spouts, Gutters, Steps, Stairs, Bow or other projecting Windows, Window Shutters, Palisades and other Projections, Encroachments and Annoyances, or any of them, and of making and affixing such Pipes or Trunks as aforesaid, shall be borne and defrayed out of the Money to be raised by virtue of this Act: Provided always, that if the said Commissioners for executing this Act shall cause to be taken up or removed any Posts or other Guards placed for the Protection of any House or Building forming a Corner of any Street or Lane from Injury by Carriages, they the said Commissioners shall by some proper Ways or Means sufficiently guard or protect the same House or Building from Damage as aforesaid; and in case any Damage shall at any Time happen to any such House by reason of taking up or removing any such Posts or other Guards by the said Commissioners, they the said Commissioners shall from time to time make good such Damage out of the Monies to be raised by virtue of this Act.

Protection for Corners of Buildings.

For preventing future Encroachments and Projections.

LVI. And be it further enacted, That if any Sign, Sign Iron, Sign Post or other Post, Shed, Penthouse, Step, Stair, Bow Window or other projecting Window, Window Shutter, Palisade or any other Encroachment, Projection or Annoyance, shall be made, erected or built against or in the Front or Outside of any House or other Building within or adjoining to any Street, Square or Place to be made, widened, altered, stopped up or improved by virtue of this Act, so as to obstruct the free and commodious Passage along the Carriage or Footways of the same, then and in every such Case the Owner or Owners of any such House or Building, Sign, Sign Iron, Sign Post or other Post, Shed, Penthouse, Step, Stair, Bow or other projecting Window, Window Shutter, Palisade or other Projection, Encroachment or Annoyance which shall be so made, erected or built as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding

Twenty

Twenty Shillings a Day for every Day such House or other Building, Sign, Sign Iron, Sign Post or other Post, Shed, Penthouse, Step, Stair, Bow or other projecting Window, Window Shutter, Palisade or other Encroachment, Projection or Annoyance shall continue in such Street, as is hereinbefore provided against; and it shall and may be lawful to and for the said Commissioners for executing this Act (whether any such Penalties or Forfeitures shall be levied or not) to cause all such Signs, Sign Irons, Sign Posts, Sheds, Penthouses, Steps, Stairs, Bow or other projecting Windows, Window Shutters, Palisades and other Encroachments, Projections and Annoyances, or any of them, to be taken down, removed and taken away.

‘ LVII. And Whereas it may be expedient that Porticoes, Arcades, Colonades or other covered Ways should be allowed to extend over the Footways of some of the Streets, Squares, Ways, Courts, Passages and Places to be made, erected, built, altered, repaired and improved under or by virtue of this Act, and also in front of Houses which may be hereafter erected and built on Ground belonging to the Crown, situate on the South Side of *Pall Mall* aforesaid, and that Bow Windows, Shop Windows, Alcoves, Balconies and other ornamental Projections, should be allowed to be advanced to the Fronts of the Areas, provided such Porticoes, Colonades, Arcades or other covered Ways, Bow Windows, Alcoves, Balconies or other ornamental Projections, be made of Brick, Stone, Metal or other incombustible Materials;’ Be it therefore enacted, That it shall be lawful for the Commissioners of His Majesty’s Woods, Forests and Land Revenues, and also for the said Commissioners for executing this Act, as the Case may be, to build, erect and make, or to authorize and permit the building or erecting and making of any Porticoes, Arcades and other covered Ways, projecting from any Buildings or Houses which shall or may be built on the Ground so belonging to the Crown on the South Side of *Pall Mall* as aforesaid, or on the Sides of the said new Streets, Squares, Ways, Courts, Passages or Places to be made, erected, built, altered, repaired or improved under or by virtue of this Act, extending over any Footways of the said Streets, Squares, Ways, Courts, Passages and Places; provided the same do not obstruct or incommode the Foot Passengers, and that the Footways under the same be at least Six Feet broad in the Clear, between the Columns, Piers or other Supports of such Porticoes, Colonades, Arcades or other covered Ways, and the Railing of the Areas of the Houses or other Buildings before which the same are placed; and provided such Colonades, Arcades, Porticoes and covered Ways be built of Brick, Stone or Metal, or Stucco or Cement laid on Brick or Stone, except the Joists and Bearers which form the Covering over the said Footpath, which may be made of Wood covered with Plaster or Stucco, or other unflammable Composition, and so as that all such Porticoes, Colonades, Arcades and other covered Ways, shall be made in such Manner, and upon such Plans, and of such Dimensions, as shall be ordered and directed or authorized and allowed by the said respective Commissioners in that Behalf; any Thing in any Act or Acts of Parliament relating to Houses or Buildings in the Cities of *London* or *Westminster* to the contrary notwithstanding.

Commissioners may allow Porticoes, Colonades, &c. to project over Footways.

good and available in Law, and of the like Force and Effect in all respects, as if the same had been enrolled in any of His Majesty's Courts at *Westminster*, or as if a Memorial had been entered or registered in the Office appointed for registering Deeds and other Conveyances of Lands and Tenements in the County of *Middlesex*, any Act of Parliament, Law, Practice or Usage to the contrary in anywise notwithstanding.

Materials, &c.
vested in Com-
missioners.

LXIV. And be it further enacted, That the Right and Property of all and every the Gates, Bars, Posts, Rails, Sheds, Carts, Engines, Materials for paving, Implements, Utensils and Things whatsoever, which may be erected and set up or provided by the said Commissioners for executing this Act, or by their Order, or otherwise belonging to and used by them for carrying the Purposes of this Act into Execution, shall be vested in the said Commissioners, and they are hereby authorized and empowered to dispose of and apply the same for the Purposes of this Act, as they shall think fit, and to bring any Action or Actions, and to prefer and prosecute with Effect any Bill or Bills of Indictment against any Person or Persons who shall steal, secrete, injure, damage or dispose of the same, or any of them respectively, to their own Use or Uses, or shall disturb them the said Commissioners, or their Officers, or other Persons acting under them, in the Possession thereof.

Commissioners
may cause Ac-
tions to be
brought for
Breach of Con-
tracts ;

LXV. And be it further enacted, That in case all or any of the Works to be done in pursuance of this Act shall not be well and sufficiently performed, according to the Intent and Meaning of any Contract or Contracts to be entered into by the said Commissioners for executing this Act, for the Purposes thereof, or shall not be completed within the Time or Times specified in such Contract or Contracts, then and in every such Case the said Commissioners may cause an Action to be brought in any of His Majesty's Courts of Law at *Westminster* against any such Contractor or Contractors for any Penalty contained in his Contract; and on Proof of the signing of the said Contract and Nonperformance thereof at the Time or Times for that Purpose to be therein mentioned, the said Commissioners shall be entitled to and shall recover the full Penalty contained in any such Contract, any Law, Custom or Usage to the contrary in anywise notwithstanding; which Penalty, when recovered, shall be applied to the Purposes of this Act: Provided always, that it shall be lawful for the said Commissioners, if they shall think fit, but with such Consent and Approbation as aforesaid, to compound and agree with any such Contractor for any Penalty incurred by him for the Breach or Nonperformance of any such Contract, for such Sum of Money as the said Commissioners shall think proper, not being less than the Injury or Damage sustained by the Breach or Nonperformance of such Contract, and all Costs, Charges and Expences which shall be occasioned thereby.

or may com-
pound for Pe-
nalties for
Breach of Con-
tract.

Assaulting
Officers, &c.

Penalty.

LXVI. And be it further enacted, That if any Person or Persons whomsoever shall assault, interrupt, hinder or disturb any Person or Persons whomsoever, employed by the said Commissioners in the Execution of any Part of this Act, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

LXVII. And

LXVII. And be it further enacted, That if any Person or Persons shall wilfully break, throw down, deface or damage any of the Bars, Posts, Rails, Sheds, Carts, Engines, Materials for paving, Implements, Utensils or Things whatsoever, which shall be the Property of, or used by or under the Orders or Directions of the said Commissioners for executing this Act in making and completing or for the Purposes of the said Alterations and Improvements, it shall be lawful for any Person or Persons whomsoever, who shall see such Offence committed, to apprehend, and also for any other Person or Persons to assist in apprehending the Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to cause him, her or them to be conveyed before some Justice of the Peace for the said County of *Middlesex*, and such Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching such Offence; and if the Party or Parties accused shall be convicted of all or any of the Offences aforesaid, either by his, her or their own Confession, or upon such Information as aforesaid, he, she or they so convicted shall forfeit and pay for every such Offence to the said Commissioners for executing this Act a Sum not exceeding Five Pounds, and also make Satisfaction to the said Commissioners or to such Person or Persons as they shall appoint to receive the same, for the Damage so by him, her or them done as aforesaid; and in case such Offender or Offenders shall not upon Conviction pay such Forfeitures and make such Satisfaction as aforesaid, such Justices are hereby required to commit him, her or them to the nearest Bridewell or House of Correction for the said County of *Middlesex*, there to be kept to hard Labour for any Space of Time not exceeding Three Calendar Months; and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she or they shall have been so committed, unless such Penalty or Forfeiture and Satisfaction shall be sooner paid or given.

For securing
Offenders.

Penalty.

Imprisonment.

LXVIII. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before a Justice of the Peace, it shall and may be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against this Act, to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to commit the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information shall be as good, valid and effectual to all Intents and Purposes as if an Information in Writing was exhibited.

Justices may
proceed by
Summons for
Recovery of
Penalties.

LXIX. And be it further enacted, That all Complaints and Informations for Offences against this Act (except in Cases where the Manner of hearing and determining thereof is hereinbefore otherwise directed) shall and may be made before One or more Justice or Justices of the Peace for the County or Place wherein the Offence shall be committed; and such Justice or Justices is and are hereby authorized and empowered to take cognizance thereof, and to summon the Person or Persons complained of to appear

Proceedings
for Recovery
of Penalties.

appear before him or them, or upon Complaint upon Oath to issue his or their Warrant or Warrants for the Apprehension of any such Person or Persons; and upon the Appearance or Non-appearance of such Person or Persons pursuant to such Summons, to hear the Matter of every such Complaint and Information by Examination of any Witness or Witnesses upon Oath, and to make such Determination thereon as such Justice or Justices shall think proper; and upon Conviction of any Person, such Justice or Justices shall and may issue a Warrant, under his or their Hand and Seal or Hands and Seals, for levying the Penalty or Forfeiture for such Offence, together with the Costs of Conviction, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattels of the Person so convicted; and in case such Penalty or Forfeiture shall not be forthwith paid, it shall and may be lawful for any such Justice or Justices to order any Person so convicted to be detained and kept in safe Custody until Return can be made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his or their Appearance on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the taking of any such Security, and which Security the said Justice or Justices is or are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Forfeiture and Costs as aforesaid, and such Penalty or Forfeiture and Costs shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justice or Justices, either by the Confession of the Offender or Offenders, or otherwise, that the Offender or Offenders hath or have not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Fines, Costs and Charges may be levied were a Warrant of Distress issued, such Justice or Justices shall not be required to issue such Warrant of Distress; and thereupon it shall be lawful for such Justice or Justices, and he or they is and are hereby authorized and required, by Warrant under his or their Hand and Seal or Hands and Seals, to commit such Offender to the Common Gaol or House of Correction of the County or Place where the Offence shall be committed, for any Term not exceeding Three Calendar Months, unless such Penalty or Forfeiture, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied; and all such Fines, Penalties and Forfeitures when recovered shall, where the Application is not otherwise directed by this Act, be paid into the Hands of the Treasurer or Treasurers of the said Commissioners, and shall be applied and disposed of towards the Purposes of this Act; and the Overplus (if any) arising from such Distress and Sale, after Payment of the Penalty and the Costs and Charges attending the same, shall be returned upon Demand to the Owner of the Goods and Chattels so distrained.

Power to give
Informer Part
of Penalties.

LXX. Provided nevertheless, and be it further enacted, That it shall be lawful for the said Justices from time to time, if they shall see Cause, to adjudge that the said Commissioners for executing this Act shall pay and apply such Part of the said Penalties
and

and Forfeitures, or any of them, as they the said Justices shall think fit, to and for the Use of the Informer or Informers, or any Person or Persons, not being a Witness or Witnesses, taking, seizing or assisting therein, or any of them, any Thing herein contained to the contrary notwithstanding.

‘ LXXI. And, for the more speedy and easy Conviction of Offenders against this Act;’ Be it further enacted, That all and every the Justice or Justices of the Peace, before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case shall happen; (that is to say,) Form of Conviction.

‘ **BE** it remembered, That on the Day of
 ‘ in the Year of our Lord A. B. is convicted
 ‘ before C. D. One [or Two, as the Case may be,] of the Justices
 ‘ of the Peace for the County of *Middlesex* [specifying the Offence,
 ‘ and Time and Place when and where the same was committed, as
 ‘ the Case may be,] contrary to the Form of the Statute made in
 ‘ the Seventh Year of the Reign of His Majesty King *George* the
 ‘ Fourth, intituled *An Act* [here set forth the Title of this Act],
 ‘ and I [or we] do adjudge that he hath therefore forfeited the
 ‘ Sum of [here insert the Penalty], or shall be
 ‘ committed to [Place of Imprisonment], for the Space of [Time
 ‘ of Imprisonment]. Given under my Hand and Seal [or, our
 ‘ Hands and Seals] the Day and Year first above written.’

LXXII. Provided always, and be it enacted, That the said Commissioners for executing this Act shall from time to time render and give an Account to the said Lord High Treasurer, or to the said Commissioners for executing the said Office of Lord High Treasurer, of the Amount of all Monies which shall be raised or received by the said Commissioners for executing this Act, by Sale or Mortgage, or by the Rents and Profits of any Houses, Buildings, Lands, Tenements, Rents or Hereditaments, hereby authorized to be mortgaged, sold, demised or let, or by Sale of the Materials of any Houses or Buildings to be pulled down and sold as aforesaid, or by any Penalties, Forfeitures or Fines hereby inflicted or authorized to be imposed, and directed to be paid to the said Commissioners, and of all other Monies which shall be raised or received by them under or by virtue of the Authority of this Act, and of the Application of all such Monies for the Purposes of this Act; and the said Lord High Treasurer, or Commissioners for executing the said Office of Lord High Treasurer, or any Three of them, shall be, and he and they is and are hereby authorized and required to examine or cause to be examined every such Account; and in case they shall approve thereof, to signify such their Approbation at the Foot of such Account, signed by the said Lord High Treasurer, or by the said Commissioners for executing the Office of the Lord High Treasurer, or any Three or more of them, and to transmit and return the same, so approved, to the said Commissioners for executing this Act; and every Account so approved and signed as aforesaid shall be a full and sufficient Discharge to the said Commissioners for executing this Act, from or on account of all such Sums of Money as shall be

Commissioners
 to render an
 Account to
 Treasury.

be mentioned in such Account, and for the Expenditure and Application thereof; and the said Commissioners for executing this Act shall not be compelled or compellable to give or render any further or other Account of any such Money, or of the Expenditure or Application thereof, any Law, Usage or Custom to the contrary notwithstanding.

Distress not to be unlawful for want of Form.

LXXIII. And be it further enacted, That when any Distress shall be made by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or want of Form in the Summons, Conviction, Warrant or Distress, or in the Appointment of the Collector or Collectors, Surveyor or Surveyors, or in any Proceedings relating thereto; nor shall the Party or Parties be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall happen to be done in making the said Distress, but the Party or Parties aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage which he, she or they shall have sustained thereby, with usual Costs, and no more, in an action of Trespass or on the Case, at the Election of the Party or Parties so aggrieved.

Persons aggrieved may appeal to the Sessions.

LXXIV. And be it further enacted, That if any Person or Persons shall think himself, herself or themselves aggrieved by any Thing done in pursuance of this Act, and for which no particular Mode of Relief hath been already appointed, such Person or Persons may appeal to the Justices of the Peace at their General Quarter Sessions to be holden for the City or Liberty of *Westminster*, within Three Calendar Months next after such Cause of Complaint shall arise, unless the same shall arise within Ten Days preceding such Sessions, in which Case such Appeal may be brought at the Second Sessions after such Case shall arise; and the said Justices are hereby authorized and required to take cognizance thereof, and to hear and determine such Complaint or Complaints, and shall and may, if they see Cause, by Order of such Session, mitigate at their Discretion all or any Part of the Penalties or Forfeitures laid upon or incurred by the Party or Parties complaining, or vacate or set aside the Conviction or Convictions, and set the Parties at liberty, or otherwise may ratify and confirm the same, with such Costs as to them in their Discretion shall seem reasonable, and to levy by their Order or Warrant such Costs so awarded by Distress and Sale of the Goods and Chattels of the Person or Persons who shall refuse to pay the same, and for want of sufficient Distress to commit such Person or Persons to some Common Gaol in and for the County of *Middlesex*, for any Time not exceeding Three Calendar Months, or until Payment of such Costs: Provided always, that the Person or Persons so appealing as aforesaid shall, and he, she or they is and are hereby required to give Notice in Writing to the Secretary to the said Commissioners for executing this Act, or the Person officiating as such, of his, her or their Intention of bringing or prosecuting such Appeal, Ten Days before the said Quarter Sessions, and shall, before such Notice given, enter into a Recognizance before One or more Justice or Justices of the Peace of the said City or Liberty of *Westminster*, with Two sufficient Sureties, in the Sum of Fifty Pounds each, with Condition to prosecute such

Costs.

Distress.

Notice of Appeal.

such Appeal, and to pay all Costs in case such Appeal be determined against the Party or Parties so appealing.

LXXV. And be it further enacted, That all Persons who in any Examination to be taken by Oath, by virtue of this Act, shall wilfully give false Evidence, or otherwise forswear themselves before any such Jury as aforesaid, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable to.

Perjury.

LXXVI. Provided always, and be it further enacted, That no Action or Suit shall be commenced or brought against any Person or Persons for any Thing done in pursuance of this Act, until Twenty eight Days' Notice shall be thereof given to the Secretary, or Person officiating as such, to the said Commissioners for executing this Act, nor after a sufficient Satisfaction or Tender thereof hath been made to the Party aggrieved, nor after Three Calendar Months next after the Fact committed; and every Action or Suit shall be laid, brought and tried in the said County of *Middlesex*, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may, at his, her or their Election, plead specially or the General Issue, and give this Act or the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to be so done, or if such Action or Suit shall be brought before Twenty eight Days' Notice shall be given as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County than the said County of *Middlesex*, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or have for his, her or their Costs in any other Cases by Law.

Limitation of Actions.

General Issue.

Treble Costs.

LXXVII. And Whereas His Majesty has signified His Intention of giving up the Occupation of His present Residence on the South Side of *Pall Mall*, called *Carlton Palace*, and of the Gardens and Grounds thereto belonging, and it is in contemplation to take down and remove the said Palace, and to make certain Alterations and Improvements in the Site of the said Palace and Gardens; and it is therefore expedient that Powers should be given to the Commissioners of His Majesty's Woods, Forests and Land Revenues, to grant Leases of the same in manner hereinafter mentioned; Be it therefore enacted, That it shall and may be lawful to and for the Commissioners for the Time being of His Majesty's Woods, Forests and Land Revenues, by and with the Consent and Approbation in Writing of the said Lord High Treasurer, or of the Commissioners for executing the Office of the said Lord High Treasurer, or any Three or more of them,

Commissioners of Woods and Forests may direct or contract for the taking down *Carlton Palace*;

them, to direct or to contract for the taking down and removing the said Palace and the Buildings thereto belonging, and for the selling and disposing of the Materials of the same; and the Monies arising from the Sale thereof (after deducting the Expences of pulling down such Palace and the Buildings belonging to the same, and of the Sale of the Materials thereof,) shall and may be disposed of and applied by the said Commissioners in manner hereinafter directed.

And grant
Leases of the
Buildings to be
erected on the
Site thereof.

LXXVIII. And be it further enacted, That the said Commissioners of His Majesty's Woods, Forests and Land Revenues for the Time being shall, and they are hereby authorized and empowered, by and with such Consent and Approbation as aforesaid, to demise or lease, or previous to any such Demise or Lease, to enter into any Contract or Agreement for the demising or leasing all or any Part of the Houses, Buildings and Hereditaments which shall be erected and built on the Site of the said Palace and Gardens aforesaid, to any Person or Persons whomsoever, for any Term or Terms of Years not exceeding Ninety nine Years from the making thereof, at such Rent or Rents, to be reserved and made payable to His Majesty, His Heirs and Successors, and for such Fine and Fines, and under and subject to such Covenants, Conditions, Clauses and Restrictions, and in such manner as the said Commissioners of His Majesty's Woods, Forests and Land Revenues, shall from time to time, with such Consent and Approbation as aforesaid, judge proper and think most advantageous; provided that the Lessee or Lessees in such Leases respectively to be named do and shall execute a Counterpart or Counterparts of the Lease or Leases so to be made to him, her or them respectively; and all such Leases shall be good, valid and effectual, any Provisions, Restrictions or Clauses contained in any Act or Acts of Parliament relating to His Majesty's Land Revenue, or to any Property under the Management of the Commissioners of His Majesty's Woods, Forests and Land Revenues, or any Practice, Custom or Usage to the contrary thereof in anywise notwithstanding.

The Monies
arising from
Sale of the
Palace, and
also from Fines,
to be applied
towards Re-
pair of Buck-
ingham House.

LXXIX. And be it further enacted, That the Monies which shall be received by the said Commissioners for the Time being of His Majesty's Woods, Forests and Land Revenues, from the Sale of the Materials of the said Palace and Buildings as aforesaid, and also from the Fines to be paid to or received by them on the granting of such Leases as they are hereinbefore authorized and empowered to grant, of any Houses, Buildings and Hereditaments which may be erected and built on the Site of the said Palace and Gardens as aforesaid, or so much or such Part or Parts thereof respectively as the said Lord High Treasurer, or the Commissioners for executing the Office of the said Lord High Treasurer, or any Three or more of them, shall from time to time direct, shall be paid and applied by the said Commissioners for the Time being of His Majesty's Woods, Forests and Land Revenues, in carrying into Execution the Purposes of an Act of Parliament made and passed in the Sixth Year of the Reign of His present Majesty King George the Fourth, intituled *An Act to authorize the Application of Part of the Land Revenue of the Crown for the Repair and Improvement of Buckingham House.*

C A P. LXXVIII.

An Act to vest in the Commissioners of His Majesty's Woods, Forests and Land Revenues, the Powers of several Acts for the Improvement of the Streets near *Westminster Hall* and the Houses of Parliament; and to authorize the Conversion of the Pavements in several Parts of the Metropolis into broken Stone Roads. [31st May 1826.]

WHEREAS by an Act passed in the Forty sixth Year of the 46 G.3. c.89.
 Reign of His late Majesty King George the Third, intituled
An Act for consolidating and rendering more effectual the several
Acts for the Purchase of Buildings and further Improvement of
the Streets and Places near to Westminster Hall and the Two
Houses of Parliament, certain Commissioners were appointed
 and authorized to be appointed; and by the said recited Act, § 1.
 and an Act passed in the Forty eighth Year of the Reign of His 48 G.3. c.137.
 said late Majesty, intituled *An Act to amend and enlarge the*
Powers of an Act of the Forty sixth Year of His present Majesty,
for consolidating and rendering more effectual the several Acts
for the Purchase of Buildings and further Improvement of the
Streets and Places near to Westminster Hall and the Two Houses
of Parliament; an Act passed in the Fiftieth Year of the Reign 50 G.3. c.119.
 of His said late Majesty, intituled *An Act for further amending*
and enlarging the Powers of an Act of the Forty sixth Year of
His present Majesty, for consolidating and rendering more effectual
the several Acts for the Purchase of Buildings and further Im-
provement of the Streets and Places near to Westminster Hall
and the Two Houses of Parliament; and an Act passed in the 54 G.3. c.154.
 Fifty fourth Year of the Reign of His said late Majesty, intituled
An Act for further amending and enlarging the Powers of an Act
of the Forty sixth Year of His present Majesty, intituled 'An
Act for consolidating and rendering more effectual the several Acts
for the Purchase of Buildings and further Improvement of the
Streets and Places near to Westminster Hall and the Two Houses
of Parliament,' and for other Purposes therein mentioned; various
 Powers and Authorities were given, subject to and under the
 Controul of the Commissioners of His Majesty's Treasury of the
 United Kingdom of *Great Britain and Ireland,* to the said Com-
 missioners appointed and to be appointed under and by virtue of
 the said recited Act of the Forty sixth Year of the Reign of His
 said late Majesty: And Whereas it is expedient that the Powers
 and Authorities given by the several Acts hereinbefore recited
 to the Commissioners so appointed and to be appointed as afore-
 said should be transferred to the Commissioners of His Majesty's
 Woods, Forests and Land Revenues, and that the Ground, Houses
 and Buildings which have been purchased for the Purposes of
 the said recited Acts, and which have been conveyed to His
 Majesty or to the said Commissioners of His Majesty's Treasury,
 or any Person or Persons in Trust for them, should be vested in
 His Majesty, His Heirs and Successors, and form Part of the
 Land Revenue of the Crown; May it therefore please Your
 Majesty that it may be enacted; and be it enacted by the King's
 7 Geo. IV. H h most

Powers and Authorities given by recited Acts to the Commissioners appointed by 46 G.S. c. 89. transferred to the Commissioners of His Majesty's Woods, Forests, &c.

most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the several Powers and Authorities given by the said Acts hereinbefore recited to the said Commissioners appointed or to be appointed under and by virtue of the said recited Act of the Forty sixth Year of the Reign of His said late Majesty shall from and after the passing of this Act be transferred to the said Commissioners of His Majesty's Woods, Forests and Land Revenues, and be vested in the said lastmentioned Commissioners, in as full, ample and beneficial a Manner to all Intents and Purposes, for the carrying into effect the Objects of the said recited Acts, as the same are now vested in the said Commissioners appointed under or by virtue of the said recited Act of the Forty sixth Year of the Reign of His said late Majesty; and the said Powers and Authorities shall, as to any Exercise thereof by the said Commissioners appointed or to be appointed by the said recited Act of the Forty sixth Year of the Reign of His said late Majesty, from and after the passing of this Act, cease, determine and be void, except as to any Matter or Thing which may have been done or contracted to be done by the said lastmentioned Commissioners in virtue thereof before the passing of this Act; any Thing in the said recited Acts or any of them to the contrary thereof in anywise notwithstanding.

Provisions of recited Acts applicable to Commissioners of 46 G.S. to be applied to Commissioners of His Majesty's Woods, &c.

II. And be it further enacted, That all the several Provisions in the said hereinbefore recited Acts contained, and thereby made applicable to the said Commissioners appointed or to be appointed under or by virtue of the said recited Act of the Forty sixth Year of the Reign of His said late Majesty, shall, from and after the passing of this Act, apply to the said Commissioners of His Majesty's Woods, Forests and Land Revenues, in the same Manner to all Intents and Purposes as they would have done in case the said lastmentioned Commissioners had been named in the said recited Acts instead of the said Commissioners appointed or to be appointed under or by virtue of the said recited Act of the Forty sixth Year of the Reign of His said late Majesty.

Ground and Buildings purchased for the Purposes of recited Acts shall henceforth form Part of Land Revenues of the Crown.

III. And be it further enacted, That from and after the passing of this Act the whole of the Ground, Houses and Buildings, which have been purchased for the Purposes of the said recited Acts, and which have been conveyed to His Majesty or to the said Commissioners of His Majesty's Treasury, or any other Person or Persons in Trust for him or them, shall from henceforth be vested in His Majesty, His Heirs and Successors, for the Purposes of the said Acts, and shall form Part of the Land Revenues of the Crown; and the Annual Rents and Profits arising from the Ground, Houses and Buildings, which have been or shall be hereafter purchased, erected or built in pursuance of the said several Acts or any of them, shall be received by the Commissioners of His Majesty's Woods, Forests and Land Revenues for the Time being, or by some Person or Persons to be appointed by them for that Purpose, and shall be paid and applied in like manner as the Rents of other Parts of the Land Revenue of the Crown are now received, paid and applied; and that all and every Acts or Act of Parliament now in force relating to or concerning the Land Revenue of the

Crown

Crown shall be construed and held to extend, and shall extend to this Act; and the several Powers, Provisions and Authorities given to or vested in the Commissioners of His Majesty's Woods, Forests and Land Revenues, in and by such Act or Acts of Parliament, with respect to other Parts of the Land Revenue of the Crown, shall be exercised and put in force by the Commissioners for the Time being of His Majesty's Woods, Forests and Land Revenues, with respect to the Ground, Houses and Buildings hereinbefore mentioned, so far as the same can be made applicable thereto, and the Nature of the Property will admit, as fully and effectually as if such Powers, Provisions and Authorities were severally repeated and re-enacted in and by this Act.

IV. And be it further enacted, That from and after the passing of this Act it shall and may be lawful for the respective Committees for paving, cleansing and lighting the several Parishes within the City and Liberty of *Westminster*, and for the Commissioners for paving, cleansing and lighting the City and Liberty of *Westminster*, and Parts adjacent, in respect of the optional Streets under their Management, and for the Persons having the Controul of the Pavements in the respective Parishes of *Saint Mary le bone* and *Saint Pancras* in the County of *Middlesex*, if they shall so think fit, in case Two Thirds in Number of the rated Occupiers of any of the Streets, Squares, Circusses, Ways, Passages or Places within any or either of such several Parishes and Places respectively as aforesaid, shall make Application for that Purpose in Writing, signed by them, (and signifying therein their Consent to be thenceforth assessed to the Rate for paving, cleansing and lighting such Parish or Place respectively, at such higher Proportion as may be found necessary in that Behalf, not exceeding One Third more than the General Rate or Assessment to be from time to time made upon them for those Purposes,) to convert the Carriage Pavement of such Streets, Squares, Circusses, Ways, Passages or Places into a broken Stone Road, commonly called or known as a Macadamized Road, and for that Purpose to take up the existing Pavement and replace the same with broken Stone, Granite, Flint, Gravel or other firm and sufficient Materials, and from time to time to amend and keep in repair the same with the like Materials; and for and towards defraying the Expences thereof, it shall and may be lawful for the said Committees, Commissioners (in the respect aforesaid) or other Persons having the Controul of the Pavements respectively, from time to time, if necessary, to make an increased Rate or Assessment upon all the Occupiers of such Streets, Squares, Circusses, Ways, Passages or Places as aforesaid, beyond their Proportion of the General Rate or Assessment for paving, cleansing and lighting such Parish or Place respectively, and with the like Powers and Remedies for recovering and enforcing Payment of the same, as such Committees, Commissioners or other Persons having the Controul of the Pavements respectively have for recovering and enforcing the Payment of such General Rate or Assessment: Provided nevertheless, that the Increase of Rate to be from time to time laid on all such Occupiers for the Purposes aforesaid shall not in any Case be more than One Third of the General Rate or Assessment upon them for paving,

Paving Committees of any of the Parishes in Westminster, and of Saint Mary le bone and Pancras, may convert the Carriage Pavement of any Street, &c. into a broken Stone Road upon Request of Two Thirds of the Inhabitants, and Consent to pay an increased Rate.

Provido as to Amount of Increase of Rate.

paving, cleansing and lighting, for the Period for which such increased Rate or Assessment shall be made.

Provision for
repaving such
Streets, on like
Application
and Consent of
Inhabitants.

V. Provided always, and it is hereby further enacted, That in case it shall be deemed necessary and expedient to repave all or any of the several Streets, Squares, Circusses, Ways, Passages and Places within any or either of the several Parishes or Places hereinbefore mentioned, which shall have been converted into a broken Stone Road, called or known as a Macadamized Road, under the Powers and Provisions of this Act, it shall and may be lawful for the respective Committees, Commissioners or other Persons having the Controul of the Pavements within the said several Parishes and Places aforesaid, if they shall so think fit, in case Two Thirds in Number of the rated Occupiers of any of the said Streets, Squares, Circusses, Ways, Passages or Places, within any or either of such several Parishes and Places respectively as aforesaid, shall make Application for that Purpose in Writing signed by them, (and signifying therein their Consent to be thenceforth assessed to the Rate for paving, cleansing and lighting such Parish or Place respectively, at such higher Proportion as may be found necessary in that Behalf, not exceeding One Third more than the General Rate or Assessment to be from time to time made upon them for those Purposes,) to repave such of the said several Streets, Squares, Circusses, Ways, Passages and Places as shall be so required as aforesaid, in the now existing Manner; and for and towards defraying the Expences of such Repavement it shall and may be lawful for the said Committees, Commissioners (in the respect aforesaid) or other Persons having the Controul of the Pavements respectively, from time to time, if necessary, to make an increased Rate or Assessment upon all the Occupiers of such Streets Squares, Circusses, Ways, Passages or Places as aforesaid, beyond their Proportion of the General Rate or Assessment for paving, cleansing and lighting such Parish or Place respectively, and with the like Powers and Remedies for recovering and enforcing Payment of the same, as such Committees, Commissioners or other Persons having the Controul of the Pavements respectively, have for recovering and enforcing the Payment of such General Rate or Assessment: Provided nevertheless, that the Increase of Rate to be from time to time laid on all such Occupiers for the Purposes aforesaid shall not in any Case be more than One Third of the General Rate or Assessment upon them for paving, cleansing and lighting, for the Period for which such increased Rate or Assessment shall be made.

Proviso for in-
creased Rate.

Proviso for
7 G. 4. c. cxxi.

VI. Provided always, and it is hereby further enacted, That nothing in this Act contained shall extend or be construed to extend to vary, alter or affect any of the Powers or Provisions contained in an Act passed in the present Session of Parliament, intituled *An Act for better paving, lighting, regulating and improving the Parish of Saint George Hanover Square, within the Liberty of the City of Westminster.*

Public Act.

VII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded.

C A P. LXXIX.

An Act for applying a Sum out of the Consolidated Fund, and the Surplus of the Grants of the Year One thousand eight hundred and twenty five, to the Service of the Year One thousand eight hundred and twenty six; and for further appropriating the Supplies granted in this Session of Parliament.

[31st May 1826.]

§ I.	£8,600,000	0	0	Out of the Consolidated Fund.	
II.	257,931	13	1	Being the Surplus Grants for the Year 1825.	
III.	Monies coming into the Exchequer under c. 1. <i>ante</i> .				Granted to make good the Supply for Great Britain and Ireland, for 1826, and to be applied as herein-after mentioned. See § 4. to 12.
	10,000,000	0	0	By Exchequer Bills under c. 2. <i>ante</i> .	
	Monies coming into the Exchequer under cc. 26. 39. <i>ante</i> .				
	13,200,000	0	0	By Exchequer Bills under c. 50. <i>ante</i> .	
	8,600,000	0	0	As by § 1. <i>ante</i> .	
	257,931	13	1	As by § 2. <i>ante</i> .	
IV.	6,135,004	6	10	For Naval Services for the Year 1826, (that is to say,)	
	955,500	0	0	For Wages of 30,000 Men including 9,000 Royal Marines, at 2 <i>l</i> . 9 <i>s</i> . per Man per Month.	For 13 Months.
	682,500	0	0	For Victuals for 30,000 Men, at 1 <i>l</i> . 15 <i>s</i> . per Man per Month.	
	54,476	5	1	For Salaries of Officers and Contingent Expences of Admiralty Office.	
	29,803	1	6	Ditto ditto	Navy Pay Office.
	57,780	15	0	Ditto ditto	Navy Office.
	34,257	10	0	Ditto ditto	Victualling Office.
	157,557	2	6	Ditto ditto	His Majesty's Yards at Home.
	560,000	0	0	For Wages to Artificers and Labourers in ditto.	
	835,957	0	0	For Building and Repair of His Majesty's Ships, Ordinary Repairs of Ships in Harbour, and for Repair of Docks, &c.	
	40,000	0	0	For Pilotage, Bounty for Slaves, Salvage, Maintenance of distressed Seamen in Foreign Parts, Exchequer Fees and other Contingencies.	
	53,298	17	7	For Salaries of Officers and Contingent Expences of Foreign Yards.	
	73,484	9	0	For ditto ditto	Victualling Yards.
	58,743	8	11	For Medical Establishments.	
	6,247	7	3	For the Royal Naval College, and School for Naval Architecture.	
	104,919	7	3	For Wages to Officers and Men of Vessels in Ordinary.	
	61,629	15	0	For Victuals for ditto, and also to Officers and Men borne on the Hulks and small Vessels.	
	37,250	0	0	For the Hire of Packets.	
	20,000	0	0	For Building Ships at Bombay.	

£ 896,000	0	0	For Half Pay to Naval Officers.
134,031	18	11	For Superannuations, Pensions and Allowances to Naval Officers, their Widows and Relatives.
1,500	0	0	For Bounty to Chaplains.
7,000	0	0	For Widows and Officers on the Compassionate List.
90,000	0	0	For Deficiency of Funds for Relief of Widows of Commissioned and Warrant Officers of the Navy.
260,000	0	0	For ditto for Out Pensioners of <i>Greenwich</i> Hospital.
164,067	8	10	For Superannuations to Commissioners, &c. and Allowances in lieu of Half Pay to Naval Officers formerly employed in Naval Departments.
284,000	0	0	For Repairs and Improvements in the Dock Yards.
275,000	0	0	For Provisions for Troops, &c. on Foreign Stations, and for Convict Service, and the Value of Rations for Troops to be embarked on board Ships of War and Transports.
200,000	0	0	For Transport Service.
V. 7,711,629	3	11½	For Land Forces for the Year 1826; and other Services hereinafter more particularly expressed, (that is to say,)
3,157,550	3	6	For Land Forces in <i>Great Britain</i> , and on Stations abroad (except the <i>East Indies</i>).
120,472	1	8	For General and Staff Officers, and Officers of Hospitals serving with Forces in <i>Great Britain</i> , and on Foreign Stations (excepting <i>India</i>).
115,523	2	5	For Allowances to principal Officers of the several Public Departments in <i>Great Britain</i> and <i>Ireland</i> , their Deputies, Clerks and Contingent Expenses.
17,518	9	7	For Medicines and Surgical Materials for Land Forces in <i>Great Britain</i> , and for certain Hospital Contingencies.
156,271	16	6	For Volunteer Corps in <i>Great Britain</i> and <i>Ireland</i> .
298,835	1	1	For Four Troops of Dragoons, and Twenty Companies of Foot stationed in <i>Great Britain</i> for recruiting the Corps employed in the Territorial Possessions of the <i>East India</i> Company.
156,862	0	0	For Pay of General Officers in the Forces not being Colonels of Regiments.
35,498	2	9	For Pay of Garrisons at Home and Abroad.
123,500	0	0	For Full Pay for reduced, retired and unattached Officers of Land Forces.
724,100	0	0	For Half Pay to reduced Officers of ditto.
46,430	2	6	For Allowances to reduced Officers of ditto.
107,296	0	0	For Half Pay and reduced Allowances to Officers of Disbanded Foreign Corps, of Pensions to wounded Foreign Officers, and of Allowances to Widows and Children of deceased Foreign Officers.
49,271	1	11	For In Pensioners of <i>Chelsea</i> and <i>Kilmainham</i> Hospitals.
1,285,566	3	4	For Out Pensioners of <i>Chelsea</i> Hospital.
142,039	16	8	For Pensions to Widows of Officers of Land Forces and Marines.
190,798	13	9	For Allowances on the Compassionate List, and of Pensions to Officers for Wounds.

	£ 48,236	10	9	For Allowances, Compensations and Emoluments in the Nature of Superannuation or retired Allowances to Persons formerly belonging to the several Public Departments in <i>Great Britain and Ireland</i> .
	33,000	0	0	For Exchequer Fees upon Issues to be made for Army Services.
	23,683	0	0	For Three Royal Veteran Battalions and Two Veteran Companies to be disbanded in the Year 1826.
	470,000	0	0	For extraordinary Expences of the Army.
	390,769	6	1	For the Commissariat Department.
	287,407	11	5½	For disembodied Militia of <i>Great Britain and Ireland</i> .
VI.	52,349	0	0	For Salaries to Master General, the principal Officers and Clerks belonging to the Office of Ordnance at the <i>Tower and Pall Mall</i> .
	8,977	0	0	For Salaries to the Departments of the Office of Ordnance at <i>Woolwich</i> .
	38,090	0	0	For ditto to the several Civil Establishments of Office of Ordnance at the Home and Foreign Stations.
	3,802	0	0	For Expence of Master Gunners at the Garrisons and Batteries in <i>Great Britain, Guernsey and Jersey</i> .
	72,085	0	0	For ditto of the Corps of Royal Engineers, the Corps of Royal Sappers and Miners, and for the Instruction of Royal Sappers and Miners for <i>Great Britain and the Colonies</i> .
	257,568	0	0	For the Royal Regiment of Artillery for <i>Great Britain</i> .
	29,324	0	0	For the Brigade of Royal Horse Artillery, and also a Rocket and Riding House Troop for <i>Great Britain</i> .
	1,771	0	0	For the Director General of the Field Train, and Field Train Department.
	7,904	0	0	For the Medical Establishment for the Military Department of the Ordnance.
	4,313	0	0	For the Establishment of the Civil Officers, Professors and Masters of the Royal Military Academy at <i>Woolwich</i> .
	145,794	0	0	For Extraordinaries of the Office of Ordnance, after deducting 180,000 <i>l.</i> for Sale of Old Stores, Savings and unexpended Sums of former Grants, and for Rents received.
	1,713	0	0	For Services performed by the Office of Ordnance, and not provided for by Parliament in the Year 1825.
	123,616	0	0	For the Office of Ordnance in <i>Ireland</i> , after deducting 7,960 <i>l.</i> for Sums unexpended upon former Grants, Sales of Old Stores and for Rents received.
	313,242	0	0	For the Office of Ordnance in <i>Great Britain and Ireland</i> , on Account of Allowances to superannuated, retired and half pay Officers, to superannuated and disabled Men and Pensioners, also

				for Pensions to Widows and Children of deceased Officers late belonging to the several Ordnance Military Corps.
£ 45,256	0	0		For Allowances, Compensations and Emoluments in the Nature of superannuated or retired Allowances, to Persons late belonging to the Office of Ordnance in <i>Great Britain</i> and <i>Ireland</i> , in respect of their having held any Public Offices or Employments of a Civil Nature, and also for Widows' Pensions.
147,087	0	0		For the Barrack Department in <i>Great Britain</i> , after deducting 18,000 <i>l.</i> for condemned Stores, Rents of Canteens, &c.
124,636	0	0		For ditto in <i>Ireland</i> , after deducting 11,067 <i>l.</i> for Savings of former Grants, condemned Stores, Rents of Canteens, &c.
164,416	0	0		For the Military Store Branch for <i>Great Britain</i> and <i>Ireland</i> and the Colonies.
210,260	0	0		For Military Works and Buildings in the Colonies, transferred from the Army Extraordinaries and Colonial Departments.
2,200	0	0		For Sums to be paid at the Treasury and at the Exchequer for Fees on the Amount of the Ordnance Estimates.
VII.	30,500,000	0	0	For discharging Exchequer Bills charged on the Supplies of the Years 1825 and 1826, remaining unpaid or unprovided for.
VIII.	271,650	0	0	For ditto issued pursuant to 57 G. 3. c. 34. 58 G. 3. c. 45. and 1 G. 4. c. 60. for carrying on Public Works and Fisheries in the United Kingdom, and for building additional Churches.
IX.	For the Charge of Civil and Military Establishments for the Year 1826, (that is to say,)			
	3,119	0	0	<i>Bahama Islands.</i>
	11,529	0	0	<i>Nova Scotia.</i>
	5,247	0	0	<i>New Brunswick.</i>
	4,102	10	0	<i>Bermuda.</i>
	2,900	0	0	<i>Prince Edward Island.</i>
	11,135	0	0	<i>Newfoundland.</i>
	11,942	0	0	<i>New South Wales.</i>
	15,462	5	0	<i>Sierra Leone.</i>
	45,110	10	3	<i>African Forts.</i>
X.	3,500,000	0	0	For discharging the like Amount of Supplies granted for the Years 1823, 1824 and 1825.
	300,000	0	0	For Civil Contingencies.
	13,135	11	10	For the Royal Military College.
	25,545	18	9	For the Royal Military Asylum.
	23,000	0	0	For Salaries and Allowances to Officers of the Houses of Lords and Commons.
	20,300	0	0	For Expences of the Houses of Lords and Commons.
	98,217	0	0	For the Deficiency of the Fee Fund in the Department of His Majesty's Treasury, Home and Foreign Secretaries of State, Secretary of State for

			for the Colonies, Privy Council and Privy Council for Trade.
£ 72,680	0	0	For Contingent Expences and Messengers' Bills for ditto.
5,675	0	0	For Commissioners for inquiring into the Collection, &c. of the Revenue in <i>Ireland</i> , and the several Establishments connected therewith, and into certain other Revenue Departments in <i>Great Britain</i> .
7,000	0	0	For Commissioners for inquiring into the Extent, &c. of the Instruction afforded by the several Institutions in <i>Ireland</i> for Education.
6,700	0	0	For Salaries to certain Officers, and Expences of the Court and Receipt of the Exchequer.
958	5	0	For Salaries and Allowances to certain Professors in the Universities of <i>Oxford</i> and <i>Cambridge</i> , for reading Courses of Lectures.
15,870	0	0	For Salaries of Commissioners of Insolvent Debtors' Court, and Contingent Expences of their Office.
4,872	0	0	For Salaries of Officers and Contingent Expences of the Office for the Superintendence of Aliens, and for Superannuations or retired Allowances to Officers formerly employed in that Service.
20,000	0	0	For the Establishment of the Penitentiary House, <i>Milbank</i> , from the 24th June 1826 to 24th June 1827.
16,506	5	4	For retired Allowances or Compensations granted or allowed as retired Allowances or Superannuations to Persons formerly employed in Public Offices or Departments, or in the Public Service, under 50 G. 3. c. 117. and 3 G. 4. c. 113.
15,120	0	0	For Relief of <i>Toulonese</i> and <i>Corsican</i> Emigrants, <i>Dutch</i> Naval Officers, <i>Saint Domingo</i> Sufferers and others who have heretofore received Allowances from His Majesty.
3,000	0	0	For the National Vaccine Establishment.
5,000	0	0	For the Institution called the Refuge for the Destitute.
6,000	0	0	For Relief of <i>American</i> Loyalists.
3,306	10	0	For confining and maintaining Criminal Lunatics.
6,112	7	10	For Allowances to Protestant Dissenting Ministers in <i>England</i> , poor <i>French</i> Protestant Refugee Clergy and Laity, and sundry small Charitable and other Allowances to the Poor of <i>Saint Martin's in the Fields</i> , and others.
38,000	0	0	For Works and Repairs of Public Buildings.
10,000	0	0	For Works at the College of <i>Edinburgh</i> .
16,750	0	0	For ditto at <i>Port Patrick</i> Harbour.
19,980	0	0	For ditto at <i>Donaghadee</i> Harbour.
43,000	0	0	For ditto at the Royal Harbour of <i>George the Fourth</i> at <i>Kingstown</i> (formerly <i>Dunearney</i>).
25,000	0	0	For Buildings at the <i>British</i> Museum.
15,000	0	0	For rebuilding the Office of His Majesty's Privy Council, and of the Committee of the Privy Council for Trade.

£ 70,000	0	0	For Repairs and Works to be executed at <i>Windsor Castle</i> .
3,526	3	10	For Improvements of the Streets, &c. near to <i>Westminster Hall</i> , and the Two Houses of Parliament, from the Year 1821 to 1826.
11,109	4	10	For Works on the Roads and Harbours of <i>Holyhead</i> and <i>Howth</i> , and of the Establishment employed under the Commissioners of those Roads and Harbours.
26,394	7	6	For the Purchase of <i>Bangor Ferry</i> , in lieu of which a Bridge has been erected over the <i>Menai Straits</i> .
5,000	0	0	For improving the Navigation of the <i>Menai Straits</i> .
14,994	3	9	For completing the Bridge over the River <i>Conway</i> , and for the Purchase of <i>Conway Ferry</i> .
56,000	0	0	For Foreign and other Secret Services.
109,300	0	0	For Printing Acts of Parliament, and Bills, Reports and other Papers for the Two Houses of Parliament.
7,500	0	0	For Printing by Order of the Commissioners for carrying into Execution the Measures recommended respecting the Records of the Kingdom.
102,060	0	0	For Stationery, Printing and Binding for the several Public Departments of Government, including the Establishment of the Stationery Office.
10,180	0	0	For Index to Twenty Volumes of the Journals of the House of Commons, commencing with the First Parliament of the United Kingdom, to the End of the Reign of His late Majesty and the Accession of His present Majesty, and for incorporating the Indexes of the subsequent Volumes of the Journals of the House of Commons to the Close of the Session 1824.
34,000	0	0	For the Extraordinary Expences of the Mint in the Gold Coinage.
23,000	0	0	For making good the Loss upon the <i>Irish Silver</i> Tokens already recoined and to be recoined in the Year 1826.
5,000	0	0	For Extraordinary Expences for Prosecutions, &c. relating to the Coin.
8,700	0	0	For ditto, in the Department of the Lord Chamberlain of His Majesty's Household, for Fittings and Furniture for the Two Houses of Parliament.
12,000	0	0	For Law Charges.
92,100	0	0	For confining, maintaining and employing Convicts at Home and at <i>Bermuda</i> .
35,000	0	0	For Bills drawn from Abroad for Expences incurred under the Act for the Abolition of the Slave Trade, and in conformity to the Orders in Council for the Support, &c. of captured Negroes, free Settlers, &c.
18,000	0	0	For paying in the Year 1826. the Salaries and incidental Expences of the Commissioners appointed on the Part of His Majesty, under the Treaties with <i>Spain</i> , <i>Portugal</i> and the <i>Netherlands</i> , for pre-

			preventing the illegal Traffic in Slaves, in pursuance of 58 G. 3. cc. 36. 85. and 59 G. 3. c. 16. for carrying the said Treaties into effect.	
£ 60,000	0	0	For Expences of Missions and Special Commissions to the New States of <i>America</i> .	
40,000	0	0	For Salaries and contingent Expences of His Majesty's Consul General, Consuls and Vice Consuls in <i>Spanish America</i> .	
120,000	0	0	For Bills drawn or to be drawn from <i>New South Wales</i> .	
52,370	0	0	For Salaries of His Majesty's Consul General and Consuls Abroad, for all contingent Charges and Expences connected with the Public Duties connected therewith, and for Superannuation Allowances to retired Consuls.	
2,442	10	0	For Colonial Services formerly paid out of the Extraordinary Expences of the Army.	
16,832	0	0	For the Society for the Propagation of the Gospel in several of the Colonies, and for the Ecclesiastical Board.	
15,000	0	0	For improving the Water Communication between <i>Montreal</i> and the <i>Ottawa</i> , and from the <i>Ottawa</i> to <i>Kingston</i> .	
49,763	0	0	For providing Stores for, the Engineer Department in <i>New South Wales</i> and <i>Van Dieman's Land</i> , Bedding and Clothing for Convicts, Clothing and Tools for the liberated <i>Africans</i> at <i>Sierra Leone</i> , and <i>Indian Presents</i> for <i>Canada</i> .	
13,992	0	0	For the Expence of the <i>British Museum</i> .	
9,000	0	0	For the Purchase of Pictures for the National Gallery in the Year 1826.	
XI.	19,500	0	0	For the Protestant Charter Schools of <i>Ireland</i> .
	9,000	0	0	For the Society for discountenancing Vice.
	25,000	0	0	For the Society for promoting the Education of the Poor in <i>Ireland</i> .
	5,000	0	0	In aid of the Funds either under the Direction of the Society for educating the Poor in <i>Ireland</i> , or for such other Purposes of Education as to the Lord Lieutenant of <i>Ireland</i> may appear advisable.
	31,000	0	0	For the Foundling Hospital in <i>Dublin</i> .
	20,050	0	0	For the House of Industry, Hospitals, and Asylums for Industrious Children in <i>Dublin</i> .
	7,200	0	0	For the <i>Richmond Lunatic Asylum</i> in <i>Dublin</i> .
	7,500	0	0	For the <i>Hibernian Society</i> for Soldiers' Children.
	1,600	0	0	For the <i>Hibernian Marine Society</i> .
	1,600	0	0	For the Female Orphan House in <i>Dublin</i> .
	4,000	0	0	For the <i>Westmorland Lock Hospital</i> in <i>Dublin</i> .
	2,282	0	0	For the Lying In Hospital in <i>Dublin</i> .
	1,663	0	0	For Doctor <i>Steven's Hospital</i> in <i>Dublin</i> .
	4,210	0	0	For the Fever Hospital and House of Recovery in <i>Dublin</i> .
	465	0	0	For the Hospital of Incurables in <i>Dublin</i> .
	8,928	0	0	For the Roman Catholic Seminary in <i>Ireland</i> .
	1,563	0	0	For the <i>Cork Institution</i> .
	7,000	0	0	For the <i>Dublin Society</i> .

	£ 10,000	0	0	For the Commissioners of Wide Streets in <i>Dublin</i> .
	2,500	0	0	For the Farming Society of <i>Ireland</i> .
	300	0	0	For the Royal <i>Irish Academy</i> .
	700	0	0	For Commissioners for Charitable Donations and Bequests in <i>Ireland</i> .
XII.	19,938	9	2½	For the Linen Board of <i>Ireland</i> .
	24,150	0	0	For the Board of Works in <i>Ireland</i> .
	15,886	0	0	For Printing, Stationery and other Disbursements of the Public Offices in <i>Dublin Castle</i> , of the Deputy Pursuivants and Messengers attending the said Offices; and for Superannuated Allowances in the Chief Secretary's Office.
	6,000	0	0	For publishing Proclamations and other Matters of a Public Nature, in the <i>Dublin Gazette</i> and other Newspapers in <i>Ireland</i> .
	4,615	0	0	For Printing Statutes for the Use of the Magistrates and Public Officers in <i>Ireland</i> .
	35,935	0	0	For Criminal Prosecutions and other Law Expences in <i>Ireland</i> .
	13,972	12	3	For Nonconforming, Seceding and Protestant Dissenting Ministers in <i>Ireland</i> .
	1,072	12	4	For Salaries of Lottery Officers in <i>Ireland</i> .
	5,299	0	0	For the Establishment and Maintenance of Inland Navigations in <i>Ireland</i> .
	25,000	0	0	For the Police and Watch Establishments of <i>Dublin</i> .
	7,324	0	0	For Salaries, &c. of Commissioners for enquiring into the Duties and Fees of the Officers of Courts of Justice in <i>Ireland</i> .
	1,635	0	0	For Salaries, &c. of Commissioners for enquiring into the Land Revenue of the Crown in <i>Ireland</i> .
	3,500	0	0	For Salaries, &c. of the Record Commission in <i>Ireland</i> .
	36,000	0	0	For carrying on certain Public Works in <i>Ireland</i> .
XIII.	Power to the Lord Lieutenant, or other Chief Governor, of <i>Ireland</i> to withhold, in the whole or in part, the several Sums hereby directed to be paid for the Maintenance of the Children in the Protestant Charter Schools, Society for Suppression of Vice, Society for Education of the Poor in <i>Ireland</i> , or for the Schools established by Voluntary Contributions; or the said Lieutenant, &c. may direct the Issue of such Sums to the said Societies respectively under such Conditions as to him shall seem meet.			
XIV.	Supplies to be applied only for the Purposes aforesaid.			
XV.	Rules for Application of Half Pay, &c.: Proviso for receiving Half Pay under any Act relating to the General or Local Militia, or the Yeomanry or Volunteers.			
XVI.	Persons concerned in issuing, paying and receiving Money for the Payment of Half Pay, not having taken the Oaths required by 6 G. 4. c. 134. indemnified.			
XVII.	Half Pay to Officers of <i>Manx</i> Fencibles.			
XVIII.	Ditto to Chaplains of Regiments in Possession of Ecclesiastical Benefices not derived from the Crown.			
XIX.	Application of Overplus of Sums appropriated to Half Pay Officers under 6 G. 4. c. 134.			

LOCAL AND PERSONAL ACTS,

DECLARED PUBLICK,

AND TO BE JUDICIALLY NOTICED.

N.B. — *The Continuance of such of the following Acts as are Temporary will be known (where it is not expressly stated) by referring to the following List, according to the corresponding Letter at the End of the Title.*

- (a) *For 21 Years, &c. [i. e. to the End of the next Session] from a Day named in the Act.*
- (b) *For 21 Years, &c. from the Passing of the Act.*
- (c) *For 21 Years, &c. after the End of the Term under former Acts.*

The following are all PUBLIC ACTS; to each of which is annexed a Clause in the Form following:

“ And be it further enacted, That this Act shall be deemed
 “ and taken to be a Public Act, and shall be judicially taken
 “ Notice of as such by all Judges, Justices and others, with-
 “ out being specially pleaded.”

Cap. i.

An Act to repeal Two Acts relating to the Employment of the Poor within the Hundreds of *Loes* and *Wilford*, in the County of *Suffolk*, and to disincorporate the said Hundreds.

[22d March 1826.]

[31 G.3. c. 72. 50 G.3. c. cxix. repealed.]

Cap. ii.

An Act for enabling the Company of Proprietors of the *Witham* Navigation to complete the Drainage and Navigation by the River *Witham*; and to raise a further Sum of Money for that Purpose.

[22d March 1826.]

[Powers of 52 G.3. c. cviii. extended to this Act.]

Cap. iii.

An Act for the Appropriation of Two Chapels as Chapels of Ease to the Parish Church of *Brighthelmston*, in the County of *Sussex*.

[22d March 1826.]

[Proviso for the Rights of His Majesty, and for the Vicar of *Brighthelmston* and the Bishop of *Chichester*.]

Cap. iv.

An Act for maintaining and repairing the Bridge over the River *Avon*, at or near *Stratford upon Avon*, in the County of *Warwick*, and for widening and improving the Approaches thereto. [22d March 1826.]

[*Royal Family exempt from Toll.* 52 G.3. c. lxxx. repealed.]

Cap. v.

An Act for enlarging the present Market, and establishing Fish Markets, in the Town and Port of *Dover* in the County of *Kent*; and for removing the Elections of Members and of Mayors of the said Town from the Church of *Saint Mary the Virgin* in *Dover*. [22d March 1826.]

Cap. vi.

An Act for lighting, watching, paving, cleansing and improving the Streets, Highways and Places within the Town and Borough of *Newport*, in the County of *Monmouth*. [22d March 1826.]

Cap. vii.

An Act for enlarging the Market House and regulating the Markets within the Borough of *Bridgwater*, in the County of *Somerset*; for paving, cleansing, lighting and watching the Streets, Lanes and other public Passages and Places within the said Borough or adjacent thereto, and for the Improvement thereof. [22d March 1826.]

[19 G.3. c.36. repealed.]

Cap. viii.

An Act for lighting with Gas the several Townships of *Macclesfield*, *Sutton* and *Hurdsfield*, all in the Parish of *Prestbury*, in the County Palatine of *Chester*. [22d March 1826.]

Cap. ix.

An Act for making and maintaining a Turnpike Road from *Cannock* in the County of *Stafford* to *Penkridge* in the same County. (b) [22d March 1826.]

[*Powers of* 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. x.

An Act for making and maintaining a Turnpike Road from *Worthing* to *Lancing* in the County of *Sussex*, and Groynes, Embankments and other Sea Defences, for protecting such Road and the Lands adjoining from the future Encroachments of the Sea. [22d March 1826.]

[*Powers of* 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. xi.

An Act for improving the Road from *Collingham* in the West Riding of the County of *York*, to the City of *York*; and for making certain Diversions from such Road. (a)

[22d March 1826.]

[11 G.3. c.68. 32 G.3. c.142. 54 G.3. c.iii. all repealed. Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. xii.

An Act for more effectually repairing and maintaining the Road from *Chippenham Bridge* in the County of *Wilts* to the Top of *Togg Hill* in the County of *Gloucester*, and several other Roads therein mentioned, in the said Counties and in the County of *Somerset*, called The *Marshfield District*. (a)

[22d March 1826.]

[44 G.3. c.lxix. repealed. Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. xiii.

An Act for making and maintaining a Road from *Godalming*, through *Hascomb*, to *Pains Hill* in the County of *Surrey*. (a)

[22d March 1826.]

[Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. xiv.

An Act for improving the Turnpike Road from *Knaresbrough* to the Junction of the Road from *Ripon* to *Pateley Bridge*, in the West Riding of the County of *York*. (a) [22d March 1826.]

[32 G.2. c.71. 14 G.3. c.98. 20 G.3. c.86. 46 G.3. c.vii. all repealed as far as relate to the Road from *Knaresbrough* to Junction of Road from *Ripon* to *Pateley Bridge*; and see 1 & 2 G.4. c. xi. Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. xv.

An Act for maintaining and improving the Road leading from *Pen-gate* in the Parish of *Westbury* to a Place formerly called *Price's Warren Gate*, at *Tinhead* in the Parish of *Edington* in the County of *Wilts*, and other Roads near or adjoining the said Roads, in the Counties of *Wilts* and *Somerset*. (b)

[22d March 1826.]

[31 G.2. c.68. 9 G.3. c.73. 45 G.3. c.xv. all repealed as relate to the First District of Road. Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. xvi.

An Act for more effectually repairing and improving the Roads from *Manchester* in the County Palatine of *Lancaster*, to *Salters Brook* in the County Palatine of *Chester*; and for making and maintaining

maintaining several Extensions or Diversions of Road, and a new Branch of Road to communicate therewith. (a)

[22d March 1826.]

[33 G. 3. c. 139. 58 G. 3. c. ix. both repealed. Powers of 3 G. 4. c. 126. 4 G. 4. c. 95. 5 G. 4. c. 69. extended to this Act.]

Cap. xvii.

An Act for making and maintaining a Turnpike Road from *South Shields* to *White Mere Pool*, and from thence to join the *Durham* and *Newcastle* Turnpike Road at *Vigo Lane*, with a Branch from *Jarrow Slake* to *East Boldon*, all in the County of *Durham*. (b)

[22d March 1826.]

[Powers of 3 G. 4. c. 126. 4 G. 4. c. 95. 5 G. 4. c. 69. extended to this Act.]

Cap. xviii.

An Act for amending and maintaining the Road leading from the Turnpike Road on *Farrard's Common* in the Parish of *Bradford*, through *Holt* and *Melksham*, to *Homan's Stile* in the Parish of *Lacock* in the County of *Wilts*, and the Road leading therefrom to the *Bath* Turnpike Road upon *Kingsdown Hill* in the same County. (a)

[22d March 1826.]

[2 G. 3. c. 59. 17 G. 3. c. 72. 46 G. 3. c. xlix. all repealed. Powers of 3 G. 4. c. 126. 4 G. 4. c. 95. 5 G. 4. c. 69. extended to this Act.]

Cap. xix.

An Act for making and maintaining a Turnpike Road, commencing at or near a certain House called *The Shrewsbury Arms*, situate at *Hinderton* in the Township of *Little Neston* by way of *Upton*, and terminating in the Township of *Hoose*, and from *Upton* aforesaid to the Township of *Birkenhead*, and also certain Branches of Road to communicate therewith, all in the County Palatine of *Chester*. (b)

[22d March 1826.]

[Powers of 3 G. 4. c. 126. 4 G. 4. c. 95. 5 G. 4. c. 69. extended to this Act.]

Cap. xx.

G. 4. c. xxiv. An Act for amending an Act of His present Majesty, for repairing the Road from *Sandon* in the County of *Stafford* to *Bullock Smithy* in the County of *Chester*, and from *Hilderstone* to *Draycot in the Moors*, and from *Wetley Rocks* to *Teau*, in the County of *Stafford*, so far as relates to the *Macclesfield* District of Road; and for making a Diversion of Road in the said District. (b)

[22d March 1826.]

Cap. xxi.

An Act for making and maintaining a Road from *Ridghill* and *Lanes*, in the Parish of *Ashton under Lyne* in the County Palatine

tine of *Lancaster*, to or near to *Holehouse* in *Saddleworth* in the West Riding of the County of *York*. (b) [22d March 1826.]

[*Powers of 3 G. 4. c. 126. 4 G. 4. c. 95. 5 G. 4. c. 69. extended to this Act.*]

Cap. xxii.

An Act for repairing the Road from *Birmingham* to *Watford Gap*, in the Parish of *Sutton Coldfield* in the County of *Warwick*, and other Roads communicating therewith. (a)

[22d March 1826.]

[47 G. 3. Sess. 2. c. x. repealed. *Powers of 3 G. 4. c. 126. 4 G. 4. c. 95. 5 G. 4. c. 69. extended to this Act.*]

Cap. xxiii.

An Act for making and maintaining a Turnpike Road from *Arrow* in the County of *Warwick* to *Pot Hooks End* in the County of *Worcester*, and from *Dunnington* in the said County of *Warwick* to *Crabs Cross* in the said County of *Worcester*. (b)

[22d March 1826.]

[*Powers of 3 G. 4. c. 126. 4 G. 4. c. 95. 5 G. 4. c. 69. extended to this Act.*]

Cap. xxiv.

An Act for more effectually repairing the Roads from *Littlegate*, at the Top of *Leadenham Hill*, in the County of *Lincoln*, to *Newark upon Trent*, and from *Newark upon Trent* to *Mansfield*, and from *Southwell* to the South End of the Town of *Oxton*, in the County of *Nottingham*. (a)

[22d March 1826.]

[32 G. 2. c. 57. 22 G. 3. c. 94. 44 G. 3. c. xiv. all repealed. *Powers of 3 G. 4. c. 126. 4 G. 4. c. 95. 5 G. 4. c. 69. extended to this Act.*]

Cap. xxv.

An Act for repairing, widening and improving the several Roads leading to and from the City of *Exeter*, and for making certain new Lines of Road to communicate with the same; and for keeping in repair *Exe Bridge* and *Countess Wear Bridge*. (b)

[22d March 1826.]

[55 G. 3. c. xii. 1 & 2 G. 4. c. xxvii. repealed. *Powers of 3 G. 4. c. 126. 4 G. 4. c. 95. 5 G. 4. c. 69. extended to this Act.*]

Cap. xxvi.

An Act for more effectually repairing the Road leading from the Bounds of the Counties of *Limerick* and *Cork*, between the Towns of *Kilmallock* and *Charleville*, to the City of *Cork*. (b)

[22d March 1826.]

[5 G. 2. c. 22. (I.) 19 G. 2. c. 19. (I.) 28 G. 3. c. 28. (I.) 30 G. 3. c. 47. (I.) 45 G. 3. c. li. all repealed so far as they relate to the Road herein mentioned. — *Royal Family exempt from Toll.*]

Cap. xxvii.

An Act for more effectually repairing, widening and improving the Road from the City of *Norwich* to *Scole Bridge*, in the County of *Norfolk*. (a) [22d March 1826.]

[9 G. 3. c. 66. 12 G. 3. c. 76. 45 G. 3. c. xlvii. all repealed. Powers of 3 G. 4. c. 126. 4 G. 4. c. 95. 5 G. 4. c. 69. extended to this Act.]

Cap. xxviii.

An Act for more effectually repairing and improving the Road from the *Brightelmston Road* at *Pyecombe* to *Warninglid Cross* in the Parish of *Cuckfield*, and from *Pyecombe* to the *Henfield Road* at *Poynings Common*, in the County of *Sussex*, and for making a new Road from *Warninglid Cross* to *Hand Cross* in the said County. (b) [22d March 1826.]

[48 G. 3. c. ci. repealed. Powers of 3 G. 4. c. 126. 4 G. 4. c. 95. 5 G. 4. c. 69. extended to this Act.]

Cap. xxix.

An Act for making and maintaining a Turnpike Road from *Wimpole* in the County of *Cambridge* to *Wrestlingworth* in the County of *Bedford*, and from *Wrestlingworth* to *Potton*, both in the said County of *Bedford*. (a) [22d March 1826.]

[Powers of 3 G. 4. c. 126. 4 G. 4. c. 95. 5 G. 4. c. 69. extended to this Act.]

Cap. xxx.

An Act for making and maintaining a navigable Canal from the *Peak Forest Canal*, in the Township of *Marple*, in the County Palatine of *Chester*, to join the Canal Navigation from the *Trent* to the *Mersey*, at or near *Harding's Wood Lock*, in the Township or Hamlet of *Talk*, or *Talk on the Hill*, in the County of *Stafford*. [11th April 1826.]

Cap. xxxi.

An Act to amend an Act for separating the Management of the Harbour of *Margate*, in the County of *Kent*, from the Paving and Lighting of the Town of *Margate*, and for vesting the future Management of the said Harbour in a Joint Stock Company of Proprietors. [11th April 1826.]

[See 52 G. 3. c. clxxxvi.]

Cap. xxxii.

An Act to enable His Majesty to license a Playhouse within the Town and Port of *Ramsgate* in the Isle of *Thanet*, in the County of *Kent*. [11th April 1826.]

Cap. xxxiii.

An Act for the better and more effectually supplying with Water the Inhabitants of the several Parishes of *Saint Mary*, *Saint Lawrence* and *Saint Giles*, *Reading*, in the County of *Berks*. [11th April 1826.]

Cap. xxxiv.

An Act for embanking, draining and otherwise improving Lands in the Parishes of *Metheringham* and *Dunston*, in the County of *Lincoln*.
[11th April 1826.]

Cap. xxxv.

An Act for lighting, watching, cleansing and otherwise improving the *Camberwell New Road*, the *Lambeth Wyke Estate*, and other Places in the Vicinity thereof, in the Parishes of *Lambeth*, *Camberwell* and *Newington*, in the County of *Surrey*.
[11th April 1826.]

Cap. xxxvi.

An Act for lighting with Gas the Town of *Burnley cum Haberg-ham Eaves*, otherwise the Townships of *Burnley* and *Haberg-ham Eaves*, within the Parish of *Whalley*, in the County Palatine of *Lancaster*.
[11th April 1826.]

Cap. xxxvii.

An Act for lighting with Gas the Village of *Heywood*, within the Parish of *Bury*, in the County Palatine of *Lancaster*.
[11th April 1826.]

Cap. xxxviii.

An Act for enabling the *Glasgow Gas Light Company* to raise a farther Sum of Money for the Use of their Works, and for other Purposes relating thereto.
[11th April 1826.]

[See 57 G. 3. c. xli. 3 G. 4. c. lxxx. 6 G. 4. c. xxxv.]

Cap. xxxix.

An Act for more effectually repairing and improving the Roads leading from *Pick's Hill*, near the Town of *Langport Eastover*, in the County of *Somerset*, through *High Ham*, *Ashcott* and other Places, to *Meare*, in the said County. (b)
[11th April 1826.]

[Powers of 3 G. 4. c. 126. 4 G. 4. c. 95. 5 G. 4. c. 69. extended to this Act.]

Cap. xl.

An Act for making and maintaining a Turnpike Road from the Great North Road, at *Barnby Moor* in the County of *Nottingham*, to the Turnpike Road leading from *Bawtry* to *Tinsley* in the County of *York*, and from the said *Bawtry* and *Tinsley* Turnpike Road, at the North East End of *Blackhill Lane*, to the Town of *Rotherham*, in the said County of *York*. (b)
[11th April 1826.]

[Powers of 3 G. 4. c. 126. 4 G. 4. c. 95. 5 G. 4. c. 69. extended to this Act.]

Cap. xli.

46 G. 3.
c.cxxxiii.
further con-
tinued.

An Act for further continuing, until the First Day of *August* One thousand eight hundred and twenty nine, and from thence to the End of the then next Session of Parliament, the Powers granted by an Act of the Forty sixth Year of His late Majesty, for enabling the Commissioners acting in execution of an Agreement made between the *East India Company* and the private Creditors of the Nabobs of the *Carnatic*, the better to carry the same into effect. [5th May 1826.]

Cap. xlii.

An Act for building a new Bridewell or House of Correction for the City and Liberty of *Westminster*. [5th May 1826.]

Cap. xliii.

An Act for erecting and maintaining a Harbour, and Works connected therewith, in the Frith of *Cromarty*, at or near the Village of *Invergordon*, in the County of *Ross*. [5th May 1826.]
[*Vessels, &c. in His Majesty's Service exempt from Toll.*]

Cap. xliv.

An Act for making and constructing a Canal from the Town of *Alford* in the County of *Lincoln*, to the Sea, at or near the Village of *Anderby* in the same County, with a Basin, Harbour and Piers. [5th May 1826.]
[*Vessels in His Majesty's Service exempt from Duties.*]

Cap. xlv.

An Act to alter and amend the *Edinburgh and Glasgow Union Canal Acts*, and to enable the Company to borrow a further Sum of Money. [5th May 1826.]
[*See 57 G. 3. c. lvi. 59 G. 3. c. xxix. 1 & 2 G. 4. c. cxxii. 4 G. 4. c. xviii.*]

Cap. xlvi.

An Act for making and maintaining a Railway or Tramroad from *Heck Bridge* in the Parish of *Snaith*, to *Wentbridge* in the Parish of *Kirksmeaton*, all in the West Riding of the County of *York*. [5th May 1826.]

Cap. xlvii.

An Act for maintaining an existing public Railway from the Summit of the Hill above *Churchway Engine*, in the Forest of *Dean*, to *Cinderford Bridge*, and for making public a private Railway from thence to the River *Severn*, at or near *Bullo Pill*, all in the County of *Gloucester*; and for amending an Act of His late Majesty (a) relating to the said Railways. [5th May 1826.]

(a) 49 G. 3. c. clviii.

[*Timber growing in His Majesty's Forest to be for the Use of the Navy, &c. § 46. Proviso for His Majesty's Rights to any Share*
of

of the Produce of Mines, &c. § 47. Proviso for the Rights of His Majesty under 20 Car. 2. c. 3. and 48 G. 3. c. 72. &c. § 48. Commissioners of His Majesty's Navy empowered to lay Col-lateral Lines of Railway, § 55. Proviso for Rights of the Rev. Edward Jones and Sir Thomas Crawley Bovey, Bart. § 93.]

Cap. xlviii.

An Act for making a Railway from *Arbuckle* and *Ballochney*, in the Parish of *New Monkland*, in the County of *Lanark*, to or near the Termination of the *Monkland* and *Kirkintilloch* Rail-way, at *Kipps* or *Kippbyres*, also in the said Parish of *New Monkland* and County of *Lanark*. [5th May 1826.]

Cap. xlix.

An Act for making and maintaining a Railway or Tramroad from the Town of *Liverpool* to the Town of *Manchester*, with certain Branches therefrom, all in the County of *Lancaster*. [5th May 1826.]

[*Proviso for the Rights of His Majesty and others, § 198.*]

Cap. l.

An Act for building a Church or Chapel of Ease in the Town-ship of *Ripon*, in the West Riding of the County of *York*. [5th May 1826.]

Cap. li.

An Act for erecting and endowing a Church in the Parish of *Liver-pool* in the County Palatine of *Lancaster*, to be called the Church of *Saint David*. [5th May 1826.]

Cap. lii.

An Act for providing an additional Cemetery in the Parish of *Liverpool* in the County Palatine of *Lancaster*. [5th May 1826.]

Cap. liii.

An Act for further improving the Communication between the Counties of *Edinburgh* and *Fife* by the Ferries cross the *Frith* of *Forth* between *Leith* and *Newhaven*, and *Kinghorn*, *Burnt-island* and *Dysart*. (c) [5th May 1826.]

[See 32 G. 3. c. 93. 53 G. 3. c. cxxv. 1 & 2 G. 4. c. cxviii.]

Cap. liv.

An Act for extinguishing Tithes and Customary Payments in lieu of Tithes and *Easter Offerings* within the Parish of *Saint Giles Cripplegate*, in the Liberties of the City of *London*; and for making Compensation to the Vicar for the Time being in lieu thereof. [5th May 1826.]

[*Annual Sum of 1800*l.* to be paid to Vicar in lieu of Tithes, § 1. In case of Death, &c. a Proportion of the yearly Sum to be paid,*

paid, § 2. If Sum payable to Vicar be in Arrear, the same may be recovered by summary Process against the Churchwardens and Inhabitants, § 3. Recovery of Arrears due to the Vicar at the Time of his Death, &c. by Distress, §§ 4, 5. Parties distrained reimbursed, § 6. Tithes and Easter Offerings to cease from the 25th December 1825,— § 7. Annual Stipend to the Vicar to be reviewed and ascertained upon an Average of the Price of Wheat every Ten Years, § 28. Vicar to provide a Curate, and Bishop to appoint if Vicar neglects, § 29.]

Cap. lv.

An Act for erecting and providing a New Corn Exchange at or near *Mark Lane* in the City of *London*. [5th May 1826.]

Cap. lvi.

An Act for better paving, lighting, cleansing, watching and otherwise improving the Borough of *Reading*, in the County of *Berks*, [5th May 1826.]
[25 G. 3. c. 85. repealed.]

Cap. lvii.

An Act for widening and improving certain Streets in the Town of *Liverpool* in the County Palatine of *Lancaster*; for the further Prevention of Nuisances and Annoyances in the said Town; for the Regulation of Weighing Machines, Weights and Measures, and the Establishment of a Fire Police therein. [5th May 1826.]

[See 26 G. 3. c. 12. 1 G. 4. c. xiii. 3 G. 4. c. xix. 6 G. 4. c. lxxv. 6 G. 4. c. clxxxvii.]

Cap. lviii.

An Act for paving, lighting, watching, repairing and otherwise improving *Grosvener Place*, and several Streets, Squares, Lanes and other Public Places now existing, and which shall hereafter be formed, upon certain Grounds in the several Parishes of *Saint George Hanover Square*, and *Saint Luke Chelsea*, in the County of *Middlesex*. [5th May 1826.]

[29 G. 3. c. 75. 53 G. 3. c. xxxix. in part repealed. Powers of 57 G. 3. c. 29, extended to this Act, § 97. His Majesty may be assessed for such Part of the Wall or Fence of *Hyde Park*, and such Parts of the Gates as form Part of the Boundary Line of the Limits of this Act, and for the Wall inclosing the Gardens and Pleasure Grounds of *Buckingham House*, which form other Part of the said Boundary Line, § 92.]

Cap. lix.

An Act for building a Bridge over the River *Severn*, at or near *Holt Fleet*, in the Parishes of *Holt* and *Ombersley*, in the County of *Worcester*; and for making Approaches to such Bridge. [5th May 1826.]

[*Royal Family exempt from Toll.*]

Cap. lx.

An Act to authorise the building a Bridge in *Belvidere Road* in the Parish of *Saint Mary Lambeth*, in the County of *Surrey*.
[5th May 1826.]

Cap. lxi.

An Act for altering, amending and enlarging the Powers and Provisions of an Act relating to the *Temkesbury Severn Bridge* and Roads. (b)
[5th May 1826.]

[*New Tolls granted in lieu of those by 4 G. 4. c. 2. 4 G. 4. c. 2. in part repealed. Powers of 3 G. 4. c. 126. 4 G. 4. c. 95. 5 G. 4. c. 69. extended to this Act.*]

Cap. lxii.

An Act for building a Bridge over the River *Virnieu*, near *Llanymynech*, and making Roads, Embankments and Approaches thereto, in the several Counties of *Montgomery*, *Salop* and *Denbigh*, on the Road leading from *Liverpool* to *Cardarthen*, and for several other Purposes relating thereto.
[5th May 1826.]

Cap. lxiii.

An Act for the better ascertaining and collecting the Poor and other Rates in the Parish of *All Saints Wandsworth*, in the County of *Surrey*.
[5th May 1826.]

Cap. lxiv.

An Act for better lighting and watching the Town of *Portsea*, 92 G. 3. c. 103. in the County of *Southampton*; and for amending an Act passed in the Thirty second Year of His late Majesty, for paving, cleansing and regulating the Streets and Public Places within the said Town, and removing and preventing Nuisances and Annoyances therein.
[5th May 1826.]

Cap. lxv.

An Act to amend an Act for opening a Street from the *Cross* of 5 G. 4. c. lxix. *Glasgow* to *Monteith Row*.
[5th May 1826.]

Cap. lxvi.

An Act to alter, amend and enlarge the Powers of an Act of His 1 G. 4. c. xi. present Majesty's Reign, for lighting with Gas the City of *Norwich* and County of the same City.
[5th May 1826.]

Cap. lxvii.

An Act for placing certain Lands belonging to the Township of *Oldham*, in the Parish of *Prestwich cum Oldham*, in the County of *Lancaster*, under the Management of Trustees; and for making Conveyances thereof, at annual Rents, for the Benefit of the Poor of the said Township.
[5th May 1826.]

[See 42 G. 3. c. 59. Pr. 43 G. 3. c. xliv.]

Cap. lxviii.

An Act for establishing and well governing the Institution called "The School for the Indigent Blind," and for incorporating the Subscribers thereto, and the better enabling them to carry on their charitable and useful Designs. [5th May 1826.]

Cap. lxix.

An Act for regulating and converting the Statute Labour in the County of *Kinross*, and for more effectually making and repairing the Highways within the said County. [5th May 1826.]

[See 43 G.3. c.lvi.]

Cap. lxx.

An Act for more effectually repairing and otherwise improving the Road leading from *Maidenhead Bridge* to the Thirty three Mile Stone towards *Reading*, and from the said Road at the East Entrance on *Maidenhead Thicket* to the Thirty Mile Stone towards *Henley*, in the County of *Berks*. (a) [5th May 1826.]

[4 G.1. c.6. *Pr.* 1 G.2. c.3. 9 G.2. c.21. 3 G.3. c.46. 19 G.3. c.84. 23 G.3. c.100. 46 G.3. c.cxliv. in part repealed. Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. lxxi.

An Act for more effectually maintaining so much of the Road from *Richmond* in the County of *York* to *Lancaster* in the County of *Lancaster*, and from *Gilling* to the Turnpike Road on *Gatherley Moor*, as relates to the Western District of the said Road; and for altering and diverting certain Parts of the said Western District of the said Road. (b) [5th May 1826.]

[57 G.3. c.xxvii. in part repealed. Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. lxxii.

An Act for more effectually repairing the Roads from *Kirkby Steven High Lane Head*, through *Sedbergh*, to *Greeta Bridge*, and other Roads communicating therewith, in the several Counties of *Westmoreland*, *Lancaster* and *York*; and for diverting, extending and altering some of the said Roads. (b)

[5th May 1826.]

[2 G.3. c.83. 24 G.3. Sess. 2. c.70. 45 G.3. c.xxvii. all repealed. Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. lxxiii.

An Act for repairing the Road from the Thirty three Mile Stone in the Parish of *Ruscombe* in the County of *Berks* towards *Reading*, to a Place called *The Seven Mile Stone* in the Parish of

of *Beenham* in the same County, and a certain other Road communicating therewith. (b) [5th May 1826.]

[11 G.3. c.73. 34 G.3. c.132. 46 G.3. c.cxliv. 52 G.3. c.lxii. 55 G.3. c.xcv. *in part repealed*. Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. *extended to this Act*.]

Cap. lxxiv.

An Act for making and maintaining a Turnpike Road, leading out of the *Alstone* Turnpike Road at *Branch End* in the County of *Northumberland*, through *Catton*, *Allendale Town* and *Allenheads*, to *Cows Hill* in the County of *Durham*, with several Branches therefrom. (b) [5th May 1826.]

[Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. *extended to this Act*.]

Cap. lxxv.

An Act for more effectually amending, widening, altering, improving and maintaining the Road from the Town of *Alnwick* in the County of *Northumberland*, by *Eglingham* and *Chatton*, to the Great North Turnpike Road near to *Haggerston* Toll Bar in the County of *Durham*. (b) [5th May 1826.]

[Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. *extended to this Act*.]

Cap. lxxvi.

An Act for more effectually repairing the Roads between *Tyburn* and *Uxbridge*, and the Road leading from *Brent Bridge* over *Hanwell Heath* to the Great Western Road, and also for making and maintaining a Turnpike Road from the *Uxbridge* Road at *Shepherd's Bush Common* to the said Great Western Road near *Turnham Green*, all in the County of *Middlesex*; and for lighting, watching and watering the said Roads. (a) [5th May 1826.]

[*Royal Family exempt from Toll*. 1 G.1. c.25. Pr. 12 G.1. c.17. 15 G.2. c.9. 7 G.3. c.102. 34 G.3. c.131. 42 G.3. c.lxxvii. 54 G.3. c.ccix. *all repealed*. Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. *extended to this Act*.]

Cap. lxxvii.

An Act for more effectually repairing so much of the Road from *Henley Bridge* to *Maidenhead Thicket* as lies between the said Bridge and the Thirtieth Mile Stone from *London*, in the Parish of *Bisham*, in the County of *Berks*. (a) [5th May 1826.]

[46 G.3. c.cxliv. 53 G.3. c.cxxxvii. *both repealed as far as relates to the Third District of Road*. Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. *extended to this Act*.]

Cap. lxxviii.

An Act for making, maintaining and repairing certain Roads leading into and from the Town of *Tewkesbury*, in the County of *Gloucester*, towards the Cities of *Gloucester* and *Worcester*, and the

the Towns of *Cheltenham*, *Stow on the Wold*, *Evesham* and *Perth*, and certain other Roads therein mentioned, in the Counties of *Gloucester* and *Worcester*. (a) [5th May 1826.]

[58 G.3. c. xxx. repealed. Powers of 3 G.4. c. 126. 4 G.4. c. 95. 5 G.4. c. 69. extended to this Act.]

Cap. lxxix.

An Act for more effectually repairing the Road from *Ashborne* in the County of *Derby* to *Leek* in the County of *Stafford*, and from *Ryecroft Gate* upon *Rushton Common* to *Congleton* in the County of *Chester*. (a) [5th May 1826.]

[2 G.3. c. 62. 22 G.3. c. 107. 44 G.3. c. x. all repealed. Powers of 3 G.4. c. 126. 4 G.4. c. 95. 5 G.4. c. 69. extended to this Act.]

Cap. lxxx.

An Act for making and maintaining a Turnpike Road from a Place called *Coxbridge*, near *Farnham* in the County of *Surrey*, to *Ramskill* near *Petersfield* in the County of *Southampton*. (b) [5th May 1826.]

[Powers of 3 G.4. c. 126. 4 G.4. c. 95. 5 G.4. c. 69. extended to this Act.]

Cap. lxxxi.

An Act for making and maintaining a Road from the Top of *Hunt's Bank* in the Town of *Manchester* in the County of *Lancaster*, to join the present *Manchester* and *Bury* Turnpike Road in *Pilkington* in the said County. (b) [5th May 1826.]

[Powers of 3 G.4. c. 126. 4 G.4. c. 95. 5 G.4. c. 69. extended to this Act.]

Cap. lxxxii.

An Act for more effectually repairing and improving the Road from *West Houghton* to near *Halliwel Field*, in the Township of *Heath Charnock* in the County of *Lancaster*. (a) [5th May 1826.]

[57 G.3. c. x. repealed. See 5 G.4. c. cv. Powers of 3 G.4. c. 126. 4 G.4. c. 95. 5 G.4. c. 69. extended to this Act.]

Cap. lxxxiii.

An Act for making into a Turnpike Road a Road leading from the *Cross Gate* in the Parish of *Swineshead*, to the Southern Extremity of the Parish of *Fosdyke* in the County of *Lincoln*, and repairing and maintaining the same. (b) [5th May 1826.]

[Powers of 3 G.4. c. 126. 4 G.4. c. 95. 5 G.4. c. 69. extended to this Act.]

Cap. lxxxiv.

An Act for more effectually making, repairing and improving certain Roads leading to and from *Lisheard*, and certain other Roads

Roads therein mentioned, in the Counties of *Cornwall* and *Devon*. (a) [5th May 1826.]

[4 G. 4. c. iii. *repealed*. Powers of 3 G. 4. c. 126. 4 G. 4. c. 95. 5 G. 4. c. 69. *extended to this Act*.]

Cap. lxxxv.

An Act for repairing the Roads from *Spalding High Bridge* to the Market Place in *Dowington*, and from the Tenth Mile Stone in the Parish of *Gosbertown* to the Eighth Mile Stone in the Parish of *Wigtoft*, in the County of *Lincoln*. (a) [5th May 1826.]

[4 G. 3. c. 80. 24 G. 3. Sess. 1. c. 34. 45 G. 3. c. lxxvi. *all repealed*. Powers of 3 G. 4. c. 126. 4 G. 4. c. 95. 5 G. 4. c. 69. *extended to this Act*.]

Cap. lxxxvi.

An Act for more effectually repairing the Road from *Flint* to the *Lower King's Ferry*, and for making and maintaining Two new Branches of Roads from the *Lower King's Ferry* aforesaid, to or near to the Town of *Mold*, all in the County of *Flint*. (b)

[5th May 1826.]

[28 G. 3. c. 101. 49 G. 3. c. xi. *both repealed*. Powers of 3 G. 4. c. 126. 4 G. 4. c. 95. 5 G. 4. c. 69. *extended to this Act*.]

Cap. lxxxvii.

An Act for more effectually amending and keeping in repair the Road called The *Hulton Turnpike Road*, lying between *Knocket Wall Brook* and the *White Horse* in *West Houghton*, in the County Palatine of *Lancaster*. (b)

[5th May 1826.]

[99 G. 3. c. 181. *repealed*. Powers of 3 G. 4. c. 126. 4 G. 4. c. 95. 5 G. 4. c. 69. *extended to this Act*.]

Cap. lxxxviii.

An Act for amending, repairing and maintaining the Turnpike Road from the South End of the Town of *Rotherham* in the County of *York*, to the present Turnpike Road near *Pleasley* in the County of *Derby*. (a)

[5th May 1826.]

[4 G. 3. c. 65. 25 G. 3. c. 105. 46 G. 3. c. v. *all repealed so far as regards the Road from Rotherham to Pleasley*. Powers of 3 G. 4. c. 126. 4 G. 4. c. 95. 5 G. 4. c. 69. *extended to this Act*.]

Cap. lxxxix.

An Act for amending, repairing and maintaining the Turnpike Road from *Tinsley* in the County of *York* to the Town of *Doncaster* in the said County. (a)

[5th May 1826.]

[4 G. 3. c. 64. 25 G. 3. c. 104. 46 G. 3. c. vi. *all repealed*. Powers of 3 G. 4. c. 126. 4 G. 4. c. 95. 5 G. 4. c. 69. *extended to this Act*.]

Cap. xc.

An Act for making a Turnpike Road from *Saint John's Chapel*, in the Parish of *Saint Mary le bone*, to the North East End of *Ballard's*

Ballard's Lane, abutting upon the North Road in the Parish of *Finchley*, with a Branch therefrom, in the County of *Middlesex*. (a) [5th May 1826.]

[Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. xci.

An Act for more effectually repairing and improving the Road leading from *Paddington* to *Harrow on the Hill* in the County of *Middlesex*; and for making certain new Lines of Road to communicate with the same. (b) [5th May 1826.]

[41 G.3. c.cxxix. 59 G.3. c.cii. both repealed. See 43 G.3. c.104. Pr. 44 G.3. c.lxxx. Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. xcii.

An Act for more effectually repairing and improving several Roads leading to and from the Towns of *Newton Bushell*, *South Bovey* and *Moretonhampstead* in the County of *Devon*. (b)

[5th May 1826.]

[28 G.2. c.49. 1 G.3. c.34. 16 G.3. c.79. 42 G.3. c.lxxv. — 3 G.3. c.38. 24 G.3. Sess. 2. c.64. 45 G.3. c.lxxv. 49 G.3. c.cxxvii. — all repealed as far as relates to the *Newton District of Road*. Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. xciii.

An Act for making and maintaining a Turnpike Road from *Gomer-sal* to *Dewsbury* in the West Riding of the County of *York*, with Two Branch Roads therefrom. (b) [5th May 1826.]

[Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. xciv.

61 G.3. c.69.

36 G.3. c.70.

43 G.3. c.cxli.

An Act for enabling the Company of Proprietors of the *Leominster Canal* to raise further Sums of Money to discharge their Debts and to complete the Canal, and for amending the Acts for making and maintaining the said Canal, and for granting to the said Company further and other Powers. [26th May 1826.]

Cap. xcvi.

An Act for making a navigable Canal from the *Staffordshire and Worcestershire Canal*, in the Parish of *Tettenhall* in the County of *Stafford*, to the United Navigation of the *Ellesmere* and *Chester Canals*, in the Parish of *Acton* in the County Palatine of *Chester*. [26th May 1826.]

Cap. xcvi.

5 G.4. c.lxv.

An Act to amend an Act for making a Canal from *Counter's Bridge*, on the Road from *London* to *Hammersmith*, to the River *Thames*, in the County of *Middlesex*; and to enable the
Kensington

Kensington Canal Company to raise a further Sum of Money for the Completion of the said Canal. [26th May 1826.]

Cap. xcvi.

An Act for improving the Navigation of the River *Dun*, and for altering the Course thereof, by making certain new Cuts or Canals from the same; and for amending, altering and enlarging the Powers granted to the Company of Proprietors by several Acts now in force. [26th May 1826.]

[See 12 G.1. c.38. 13 G.1. c.20. 6 G.2. c.9. 13 G.2. c.11. 1 & 2 G.4. c.xlvi.]

Cap. xcvi.

An Act for making and maintaining a Railway from *Edinburgh* to the South Side of the River *North Esk*, near *Dalkeith* and *Newbattle*, with Branches therefrom, all in the County of *Edinburgh*. [26th May 1826.]

Cap. xcix.

An Act for making and maintaining a Railway or Tram Road from *Manchester* to *Oldham*, with a Branch from *Failsworth Pole* to or near to *Dry Clough* in the Township of *Royton*, all in the County Palatine of *Lancaster*. [26th May 1826.]

Cap. c.

An Act for making and maintaining a Tram Road or Railway from the End of the *Grosmont* Railway at *Monmouth Cap* in the Parish of *Llangua* in the County of *Monmouth*, to *Wye Bridge*, in the Parish of *Saint Martin*, within the Liberties of the City of *Hereford*. [26th May 1826.]

Cap. ci.

An Act for making a Railway from the Royal Burgh and Port of *Dundee* in the County of *Forfar*, to *Newtyle* in the said County. [26th May 1826.]

Cap. cii.

An Act for making and maintaining a Railway or Tram Road from or from near a certain Place called *Aber Dulais* to or near to a certain other Place called *Cwm Dulais*, both in the Parish of *Cadoxton juxta Neath* in the County of *Glamorgan*. [26th May 1826.]

Cap. ciii.

An Act for making a Railway from the *Monkland* and *Kirkintilloch* Railway, by *Garnkirk*, to *Glasgow*. [26th May 1826.]

Cap. civ.

An Act for raising Money for building a Crypt and Tower to the additional Church erecting in the Parish of *Saint Mary Magdalen Bermondsey* in the County of *Surrey*; for vesting the said Church

Church and the Burial Ground thereof in Trustees; and for other Purposes relating thereto. [26th May 1826.]

[See 58 G.3. c.45.]

Cap. cv.

28 G.3. c.58.
38 G.3. c.xix.
39 G.3. c.xlv.
45 G.3. c.xxxii.
45 G.3. c.114.
47 G.3. *Sess.* 2.
c.iii.
53 G.3. c.xxxiii.
See also
6 G.4. c.103.

An Act to alter and amend several Acts made in the Twenty eighth, Thirty eighth, Thirty ninth, Forty fifth, Forty seventh and Fifty third Years of the Reign of His late Majesty, for enlarging and improving the Harbour of *Leith*; and to appoint Commissioners for the Superintendence and Management of the said Harbour and Docks, and for other Purposes connected therewith. [26th May 1826.]

[*Vessels in His Majesty's Service exempt from Duties.*]

Cap. cvi.

An Act for constructing a Bridge across *Sutton Wash*, otherwise called *Cross Keys Wash*, between the Counties of *Lincoln* and *Norfolk*. [26th May 1826.]

Cap. cvii.

An Act for widening and improving the Bridge of *Irvine*, for making Streets communicating thereto, and for more effectually enlarging, deepening, improving and maintaining the Harbour of *Irvine*, in the County of *Ayr*. [26th May 1826.]

[*Royal Family and Vessels in His Majesty's Service exempt from Tolls and Duties.*]

Cap. cviii.

An Act for more effectually supplying the City of *Edinburgh* and Places adjacent with Water; and for supplying the Town and Port of *Leith* and Places adjacent, and His Majesty's Dock Yards at *Leith*, with Water. [26th May 1826.]

[*Provisions of 59 G.3. c. cxvi. extended to this Act.*]

Cap. cix.

An Act for supplying with Water the Town and Neighbourhood of *Birmingham* in the County of *Warwick*. [26th May 1826.]

Cap. cx.

An Act for better supplying the Inhabitants of the City of *Chester* with Water. [26th May 1826.]

Cap. cxi.

An Act for better supplying with Water the Inhabitants of the Town of *Nottingham* and its Vicinity. [26th May 1826.]

Cap. cxii.

An Act for lighting the Royal Burgh of *Inverness*, Suburbs thereof and Places adjacent, with Gas, and supplying the same with Water. [26th May 1826.]

Cap. cxiii.

An Act for amending and enlarging the Powers of an Act passed 17 G.3. c.64. in the Seventeenth Year of the Reign of His late Majesty, for the better Relief and Employment of the Poor of the Parish of *Saint Mary Abbots Kensington* in the County of *Middlesex*, and for other Purposes therein mentioned; and for better regulating the said Parish. [26th May 1826.]

Cap. cxiv.

An Act to amend an Act of the Thirty ninth Year of His late Majesty, for the better Relief and Employment of the Poor of the Parish of *Saint Bridget* otherwise *Saint Bride, Fleet Street*, in the City of *London*. [26th May 1826.]

[39 G.3. c.iv. repealed as far as herein mentioned.]

Cap. cxv.

An Act to explain and amend an Act of the Third Year of 3 G.4. c.lxxviii. the Reign of His present Majesty, intituled *An Act for watching, cleansing and lighting the Streets of the City of Edinburgh and adjoining Districts; for regulating the Police thereof; and for other Purposes relating thereto*. [26th May 1826.]

Cap. cxvi.

An Act for extinguishing Tithes and Customary Payments in lieu of Tithes within that Part of the Parish of *Saint Botolph without Aldersgate* which is situate in the City of *London*, and for making Compensation in lieu thereof; and for increasing the Provision for the Incumbent of the same Parish.

[26th May 1826.]

[*Annual Sum of 1150*l*. to be paid to the Dean and Chapter of Westminster in lieu of Tithes, § 6. Proceedings for Recovery, &c. § 7. Tithes to cease from 24th June 1826.—§ 10. For increasing the Provision for Minister or Curate of the Parish, § 11. Proportion thereof to be paid until his Resignation or Decease, § 12. Proviso for the Right of Dean and Chapter as to Surplice Fees, § 13. Assessment to be made for raising the said Annual Sum of 1150*l*.—§ 14. Payments heretofore due to the said Dean and Chapter in lieu of Tithes under 55 G.3. c.xci. to be made to the Commissioners for the Purposes of this Act, § 33.*]

Cap. cxvii.

An Act for paving, watching, lighting, cleansing and improving the Township of *Oldham* in the County *Lancaster*, and for regulating the Police thereof. [26th May 1826.]

Cap. cxviii.

An Act for lighting, cleansing, watching and otherwise improving the Streets, Lanes and other public Passages and Places within the Town of *Stockport* in the County Palatine of *Chester*, and for regulating the Police of the said Town. [26th May 1826.]

Cap. cxix.

An Act for regulating the Police of the Burgh of *Anderston* and Lands of *Lancefeld* and others adjoining the said Burgh, in the County of *Lanark*, paving, cleansing and lighting the Streets and Passages of the said District, and for erecting a Court House and Gaol therein. (b) [26th May 1826.]

Cap. cxx.

An Act for paving, lighting, watching, cleansing and improving the Town and Parish of *Sunderland* near the Sea in the County of *Durham*; for removing the Market; and for otherwise improving the said Town. [26th May 1826.]

[50 G.3. c.xxvii. repealed except as relates to the establishing, &c. a Watch on the River Wear.]

Cap. cxxi.

An Act for better paving, lighting, regulating and improving the Parish of *Saint George Hanover Square*, within the Liberty of the City of *Westminster*. [26th May 1826.]

[29 G.3. c.75. 53 G.3. c.38. repealed. His Majesty may be assessed for such Parts of the Walls and Gates of the Green Park and Hyde Park as lie within the Limits of this Act, in respect of such Part of the said Walls and Gates as may, at the Time of making the Rates herein mentioned, be used as a Fence to any Ground inclosed within the said Parks, and holden by any Tenant under the Crown, §118. See Cap. 78. ante, §6.]

Cap. cxxii.

An Act for more effectually draining and preserving certain Marsh Lands or Low Grounds in the Parishes of *Sandhurst*, *Newenden*, *Rolvenden*, *Tenterden*, *Wittersham*, *Ebony*, *Woodchurch*, *Apple-dore* and *Stone*, in the County of *Kent*; and *Ticehurst*, *Salehurst*, *Bodiam*, *Ewhurst*, *Northiam*, *Beckly*, *Peasmarsh*, *Iden* and *Playden*, in the County of *Sussex*. [26th May 1826.]

Cap. cxxiii.

An Act to amend and alter an Act passed in the last Session of Parliament, intituled *An Act for establishing a Joint Stock Company for the Erection of Buildings and establishing Machinery for the Purpose of promoting and encouraging Manufactures in Ireland*. [26th May 1826.]

6 G.4. c.cxli.

‘ WHEREAS an Act was passed in the Sixth Year of the
 ‘ Reign of His present Majesty, intituled *An Act for estab-*
 ‘ *lishing a Joint Stock Company for the Erection of Buildings*
 ‘ *and establishing Machinery for the Purpose of promoting and*
 ‘ *encouraging Manufactures in Ireland*; whereby, after reciting
 ‘ (amongst other Things) that the several Persons thereafter
 ‘ named had entered into a Subscription to raise a certain Sum as
 ‘ a Joint Stock or Fund, for the Purposes aforesaid, it was enacted,
 ‘ that the said several Persons and their several and respective
 ‘ Executors, Administrators and Assigns, and all and every other
 ‘ Person and Persons, Body or Bodies Politic, Corporate or Col-
 legiate,

' legiate, who should, according to the Conditions and Restrictions
 ' thereafter set forth, hold or be possessed of any Share or In-
 ' terest of and in the said Joint Stock and Undertaking, their
 ' several and respective Successors, Executors, Administrators
 ' and Assigns, so long as they should respectively hold the same,
 ' should have full Power and Authority from Time to Time, and
 ' at all Times thereafter, in that Part of the said United Kingdom
 ' called *Ireland*, to erect, build, fit up and establish any Manu-
 ' factories, Brewhouses, Distilleries, Mills, Warehouses, Work-
 ' shops or other Buildings whatsoever, and of what Nature, Kind
 ' or Description soever, and afterwards to let, sell or dispose of
 ' the same, and to erect and establish any Smelting Houses,
 ' Founderies, Forges or Potteries, and other Works, Matters and
 ' Things as they should think fit to establish, purchase, take, hire,
 ' contract for, hold or possess under or by virtue or for the Pur-
 ' poses of the said Act, and should for those Purposes be a Joint
 ' Stock Company by the Name and Description of "The *Irish*
 ' Company for promoting Manufactures;" and it was by the said
 ' Act further enacted, that the Sum subscribed for, or such Part
 ' or Parts of the Money so subscribed for as should be necessary
 ' and required, not exceeding the Sum of Two million Pounds
 ' Sterling, should, when paid in, be considered as a Capital or
 ' Joint Stock, and the same was thereby vested in the several
 ' Proprietors of the said Company, and their respective Executors,
 ' Administrators, Successors and Assigns, holding for the Time
 ' being Shares in the said Stock, in proportion to the Sum he, she
 ' or they, and each of them, should have so severally subscribed
 ' thereunto, and that such Sum of Two million Pounds Sterling
 ' should be divided into Shares of One hundred Pounds each;
 ' provided always, and it was thereby further enacted, that the
 ' said Company should not be authorized to exercise any of the
 ' Powers granted under the said Act, until such Time as Four
 ' Fifth Parts of the said Capital should have been subscribed for :
 ' And Whereas the Subscriptions to the Capital of the said Com-
 ' pany at present amount to the Sum of One million Pounds Ster-
 ' ling, or thereabouts, and are divided into Ten thousand Shares
 ' of One hundred Pounds each, but the said Company have not
 ' yet commenced any of the Works, or entered into any of the
 ' Contracts which they are empowered to make and enter into by
 ' virtue or under the Powers given to them by the said recited
 ' Act ; and Doubts have arisen whether the said Company can
 ' legally proceed to the Exercise or Execution of any of those
 ' Powers until such Time as Four Fifths of the said original pro-
 ' posed or intended Capital of Two million Pounds Sterling shall
 ' have been actually subscribed for : And Whereas, owing to the
 ' present depressed State of the Money Market it is found im-
 ' practicable to obtain Subscriptions to the Capital of the said
 ' Company to the full Extent of Two million Pounds Sterling, and
 ' as the Objects and Purposes of the said Act may be accom-
 ' plished and put in force to great Advantage with a much less
 ' Capital, it is therefore expedient that the said Company should
 ' be empowered to proceed in the Execution of the Powers vested
 ' in them by the said Act with such a reduced or less Capital as
 ' hereinafter mentioned : And Whereas certain of the original

The Capital of the Company fixed at 1,000,000*l.* Sterling. Company may proceed in the Execution of recited Act.

Subscribers, &c. may retire, and be released from all further Responsibility, on giving Notice, &c.

Form of Notice.

' Subscribers to the said Capital, as well as certain other Persons, Purchasers of Shares from such original Subscribers, being desirous to withdraw themselves from the said Company, upon receiving back their original Deposit of One Pound *per* Share (deducting Expences as hereinafter mentioned), it is expedient, under the existing Circumstances, that they should be enabled so to do; and that several of the Provisions of the said recited Act should be amended and altered: ' But inasmuch as the several Purposes aforesaid cannot be carried into effect without the Aid and Authority of Parliament; may it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Capital or Joint Stock of the said Company shall henceforth be and consist, and the same is hereby declared to be and consist of the Sum of One million Pounds Sterling, to be divided into Shares of One hundred Pounds each, as directed by the said recited Act with respect to the Capital thereby authorized to be raised; and that from and after the Twenty first Day of *July* next after the passing of this Act, it shall and may be lawful for the said Company and the Directors of the same for the Time being, or their Agents, Servants and Deputies, to proceed in the Execution of the said recited Act, and to exercise and put in force all and every or any of the Powers and Authorities thereby given and granted to or vested in them, as fully and effectually in all respects as if Four Fifth Parts of the said original or intended Capital of Two million Pounds Sterling had been actually subscribed for; any Thing in the said recited Act contained to the contrary notwithstanding.

II. And be it further enacted, That it shall and may be lawful for any of the original Subscribers to the Capital of the said Company, or any other Persons holding Shares therein, which shall have been duly transferred to them pursuant to the Directions of the said recited Act, to retire and withdraw themselves from the said Company, upon giving or leaving the following Notice to or with the Secretary of the said Company, at the Company's Office, on or before the First Day of *July* next after the passing of this Act; (that is to say,)

' To the Directors of the *Irish* Company for promoting Manufactures.
' I A. B. of being a Subscriber
' to or Holder of (*as the Case may be*) Shares
' in the Capital of the said Company, numbered
' do hereby give Notice, that in pursuance of the Powers contained in an Act passed in the Seventh Year of the Reign of His Majesty King George the Fourth, intituled [*here insert the Title of this Act*], I intend to retire and withdraw myself from the said Company, on the Twenty first Day of *July* next after this Notice; and from which Day you are not to consider me as a Member of the said Company. As witness my Hand the
' Day of

And

And every original Subscriber or Holder of Shares in the Capital of the said Company, upon giving or leaving such Notice as aforesaid on or before the said First Day of *July*, shall be accordingly at full liberty to retire and withdraw himself or herself from the said Company upon the said Twenty first Day of *July* next ensuing the Delivery of such Notice, and shall from and after the said last mentioned Day cease to be any longer a Member of the said Company, or entitled to any future Benefit or Advantages to arise therefrom; but shall nevertheless be absolutely and entirely exonerated and discharged from any future Liability, Claim or Demand, as a Member of the said Company, or as a Subscriber to the Capital thereof.

III. Provided always, and be it further enacted, That in case so many Subscribers and Holders of Shares in the Capital of the said Company should retire and withdraw themselves, by virtue of the Power hereinbefore contained, as thereby to reduce the Subscriptions to the said Capital below Four Fifth Parts or Shares of the said Capital of One million Pounds Sterling, it shall not be lawful for the said Company to proceed in the Execution of the Powers given to them by the said recited Act or this Act, until such Time as the Subscriptions shall again amount to Four Fifth Parts of the said Capital hereby fixed at One million Pounds Sterling.

IV. And be it further enacted, That the Directors of the said Company shall and they are hereby authorized and required, upon the said Twenty first Day of *July* or afterwards, upon Demand, to return and repay to each and every of the said original Subscribers to and Holders of Shares in the Capital of the said Company, who shall give such Notice and withdraw themselves respectively as aforesaid, upon their delivering up to be cancelled the Certificate or Certificates of their respective Shares so proposed to be withdrawn or given up, or the Receipt or Receipts for the Deposit Money paid thereon, the Difference or Excess in Amount between their said original Deposit of One Pound *per* Share and their respective Shares or Proportions of the Costs, Charges and Expences sustained or incurred, or to be sustained or incurred by the said Company, up to and including the said Twenty first Day of *July*; the Amount of which Costs, Charges and Expences, and of the different Shares and Proportions thereof to be paid and borne by each original Subscriber and Holder of Shares in the Capital of the said Company so withdrawing as aforesaid, shall be ascertained, settled and adjusted by the Auditors and Examiners of Accounts of the said Company, and shall, when so ascertained, settled and adjusted, be final, binding and conclusive upon all Parties concerned, and shall not afterwards be disputed or called in question, unless some manifest Error shall be discoverable on the Face thereof.

V. And Whereas it was by the said recited Act enacted, that before the said Directors of the said Company should commence any of the Works or Undertakings thereby authorized, they the said Directors shall invest in some of the Parliamentary Funds of *Great Britain or Ireland*, in the Names of Three or more of the said Directors, a Sum or Sums amounting to Five Pounds for every One hundred Pounds which should have been received upon the Calls from time to time to be made upon the said Sub-

Subscriptions to amount to Four Fifths of the Capital before Powers of Acts are put in Execution.

The Directors to return to the Subscribers, &c. withdrawing the Amount of the original Deposit of 1*l.* per Share, after deducting their Proportion of the Expences.

Fund to be invested from Calls to cease accumulating when Contingent Fund shall amount to 10,000*l*.

No Calls to be made exceeding 10*l*. per Cent. per Annum unless assented to at a General or Special General Meeting.

'scribers respectively, and that the said Sum or Sums so to be invested should not be sold out or transferred until the Fund to answer Contingencies therein directed to be created should amount to the full Sum of Twenty thousand Pounds: And Whereas it is expedient that the said Sum of Twenty thousand Pounds should be reduced to Ten thousand Pounds; Be it therefore further enacted, That the said last mentioned Clause or Proviso shall be and the same is hereby repealed, and that nothing in the said recited Act or in this Act contained shall hinder or prevent the Directors of the said Company from selling out or transferring the said Sum or Sums so to be invested as therein and hereinbefore is mentioned, when the said Fund to answer Contingencies shall amount to the full Sum of Ten thousand Pounds.

'VI. And it was by the said recited Act further enacted, that the Directors of the said Company for the Time being should have full Power to make such Call or Calls for Money from the said Subscribers, their Executors, Administrators, Successors and Assigns, as the said Directors should from time to time find necessary for the Purposes of carrying on the Works authorized by the said Act, so that no such Call exceeded the Sum of Ten Pounds *per Centum* for or in respect of any One Share, and so that no Call or Calls should be made but at the Distance of Three Calendar Months at the least from each other: And Whereas it is expedient that the said Calls from the said Subscribers should be limited, unless assented to in manner hereinafter mentioned; Be it therefore enacted, That it shall not be lawful for the Directors of the said Company to make any Call or Calls for Money from the said Subscribers, their Executors, Administrators, Successors or Assigns, not exceeding in any One Year from the passing of this Act the Sum of Ten Pounds *per Centum* for or in respect of any One Share, unless the same shall be agreed or assented to at some General Meeting or Special General Meeting of the Proprietors to be called and holden in manner as directed by the said recited Act and this Act, or One of them.

'VII. And Whereas it was in and by the said in part recited Act further enacted, that there should be Twenty of the said Proprietors, qualified in the Manner and to be nominated and appointed as therein is mentioned, who should be and be called the Directors of the said Company; and that the said Directors should continue in and hold the Office and Offices of Directors respectively until the several Days and in the Manner therein and hereinafter mentioned; (that is to say,) that at the General Meeting to be held on the First *Tuesday* in the Month of *May* which will be in the Year One thousand eight hundred and twenty nine, or within Thirty Days thereafter, Five of the Directors should go out of the said Office of Director, the same to be determined by Lot amongst the said Directors respectively; and that at the General Meeting to be held on the First *Tuesday* in the Month of *May* which will be in the Year One Thousand eight hundred and thirty, or within Thirty Days thereafter, Five other of the said Directors, to be determined by Lot amongst the said first named Directors then remaining in Office respectively, should go out of the said Office of Director; and that at the General Meeting to be held on the First *Tuesday* in the Month

' Month of *May* which will be in the Year One thousand eight
 ' hundred and thirty one, or within Thirty Days thereafter, Five
 ' other of the said Directors, to be determined by Lot amongst
 ' the said first named Directors then remaining in Office respect-
 ' ively, should go out of the said Office of Director; and that at
 ' the General Meeting which will be in the Year One thousand
 ' eight hundred and thirty two, the remaining Five of the said first
 ' named Directors should go out of the Office of Director: And
 ' it was further enacted, that at the General Meeting which should
 ' be holden on the First *Tuesday* in the Month of *May* which will
 ' be in the Year One thousand eight hundred and twenty nine,
 ' or within Thirty Days thereafter, and at the like General Meet-
 ' ing in every succeeding Year, there should be an Election of
 ' Five Proprietors, qualified respectively in the Manner therein
 ' mentioned, who thenceforth should be Five of the Directors of
 ' the Affairs of the said Company for Four Years next ensuing
 ' such their Election, unless they or any of them should die, resign
 ' or cease to be qualified as therein mentioned: And Whereas it
 ' hath been deemed expedient, on account of the proposed Re-
 ' duction of the Capital of the said Company, that the Number of
 ' Directors of the said Company should, upon the Death or Re-
 ' signation of the present Directors, be reduced to Twelve, and
 ' that no Election should take place or be made of a new Director
 ' until their Number should be reduced below Twelve; Be it
 ' therefore further enacted, That no Election shall take Place or be
 ' made of a new Director, until the Number of Directors of the said
 ' Company for the Time being shall, in consequence of Death,
 ' Resignation or Want of Qualification, be reduced under Twelve;
 ' and that, at the General Meeting to be holden on the First *Tues-*
 ' *day* in the Month of *May* One thousand eight hundred and twenty
 ' nine, or within Thirty Days after, as provided for by the said
 ' recited Act, and also at the like General Meeting in every suc-
 ' ceeding Year, there shall be an Election of Three Proprietors only,
 ' qualified respectively in the Manner mentioned in the said recited
 ' Act, instead of Five Proprietors as therein provided for, and such
 ' Three Proprietors so to be elected shall thenceforth be Three of
 ' the Directors of the Affairs of the said Company for Four Years
 ' next ensuing such their Election, unless they or any of them shall
 ' die, resign or cease to be qualified as in the said recited Act is
 ' mentioned; in any of which Events another Director or other
 ' Directors shall be appointed in his or their Stead to fill such Va-
 ' cancy or Vacancies in the Manner in the said recited Act men-
 ' tioned and appointed for in that Event.

Number of
 Directors to be
 reduced to
 Twelve.

' VIII. And Whereas it is in and by the said in part recited Act
 ' also enacted, that at every of the General Meetings and at every
 ' Special General Meeting to be held in pursuance of and to be
 ' called in manner prescribed by the said recited Act, the Chair-
 ' man or Deputy Chairman of the Directors for the Time being,
 ' or, in the Absence of both of them, any One of the Directors
 ' of the said Company to be chosen at such Meeting or Meetings
 ' respectively, or, in the Absence of all the said Directors, any
 ' One Proprietor to be chosen at such Meeting or Meetings re-
 ' spectively, should be the Chairman of such Meeting or Meetings
 ' respectively: And Whereas it will be more consistent with the

President or
One of the Vice
Presidents to
take the Chair
at General
Meetings
when present.

' Formation of the said Company and the Nature of the Office of
' President or Vice President, if at every General Meeting or
' Special General Meeting to be held in pursuance of the said
' recited Act or this Act, whereat the President or any of the
' Vice Presidents of the said Company shall be present, such Pre-
' sident or One of the Vice Presidents shall be allowed to take the
' Chair in preference to the Chairman or Deputy Chairman, or One
' of the Directors of the said Company ;' Be it therefore further
enacted, That from and after the passing of this Act whenever the
President or any One or more of the Vice Presidents of the said
Company shall be present at any General Meeting or Special
General Meeting of the said Company to be held in pursuance of
the said recited Act or this Act, such President, if present, or if
not, then One of the Vice Presidents, to be chosen at such Meet-
ing or Meetings respectively, shall be the Chairman of every such
General Meeting or Special General Meeting respectively, and
shall have and be invested with the same Powers and Authorities
as by the said recited Act are given to or vested in the Chairman
thereby appointed or directed to be appointed of such Meeting
or Meetings respectively.

' IX. And Whereas it was in and by the said recited Act fur-
' ther enacted, that it should and might be lawful to and for the
' said Directors for the Time being, and they are hereby em-
' powered and required, at or previous to each and every General
' Meeting to be held pursuant to the said Act, for the Purpose of
' considering of or for making or declaring a Dividend or Divi-
' dends of the clear Profits of the said Undertaking, to deduct and
' set apart One Tenth Part of the said clear Profits and Produce;
' and the said Directors should forthwith lay out and invest, in
' the Name of the said Company, or in the Names of Three or
' more of the said Directors, such One Tenth Part of the said
' clear Profits and Produce from time to time, as and when the
' same should be so deducted and set apart as aforesaid, in such
' of the Public Parliamentary Funds or Stocks of *Great Britain*
' or *Ireland* as the said Directors should in their Discretion deem
' expedient, until the Monies so set apart and funded as aforesaid
' should amount to the Sum of Fifty thousand Pounds, and also
' from time to time, and at all Times thereafter, so often as the
' same Fund or Sum of Fifty thousand Pounds should be reduced
' by the Payment of or for any extraordinary Contingencies, to
' deduct and set apart, at any future subsequent General Meeting
' or Meetings, the like One Tenth Part of the said clear Profits
' and Produce, until the same Fund should be restored and again
' amount to the Sum of Fifty thousand Pounds, and so on from
' time to time thereafter, and so often as the same should be re-
' duced in Manner aforesaid: And Whereas it is deemed expe-
' dient, on account of the intended Reduction of the Capital of
' the said Company, that the said Fund so directed to be formed
' and appropriated for answering Contingencies as aforesaid should
' be also reduced from the Sum of Fifty thousand Pounds to a Sum
' not exceeding Twenty five thousand Pounds;' Be it therefore
enacted, That nothing in the said recited Act contained shall be
deemed or taken to be compulsory upon or as authorizing or em-
powering the Directors for the Time being of the said Company
to

Fund to answer
Contingencies
reduced to
25,000*l*.

to deduct and set apart, or to lay out and invest One Tenth Part of the clear Profits and Produce of the said Undertaking in the Manner or for the Purposes in the said recited Act specified, after the Monies which shall have been ~~so~~ set apart and funded as aforesaid shall amount to the Sum of Twenty five thousand Pounds: Provided always, that when and so often as the said Fund of Twenty five thousand Pounds shall be reduced by the Payment of or for any extraordinary Contingencies, then the like One Tenth Part of the said clear Profits and Produce shall be again deducted and set apart, laid out and invested, in the Manner hereinbefore mentioned, until the same Fund shall be restored and again amount to the Sum of Twenty five thousand Pounds, and so on from time to time and so often as the same shall be reduced in Manner aforesaid; any Thing in the said recited Act or in this Act contained to the contrary notwithstanding.

X. And be it further enacted, That the Powers, Provisions, Regulations, Directions, Restrictions, Matters and Things whatsoever contained in the said recited Act, except so far as the same or any of them are expressly altered or repealed by this Act, shall be deemed, taken and construed to extend and operate, and be in full force with respect to all Matters and Things whatsoever which may happen or arise in the Execution of this Act, as fully and effectually, to all Intents and Purposes, as if the same and every Part thereof were repeated and re-enacted in this Act, and made Part thereof; and the said recited Act and this Act shall, to all Matters and Things whatsoever, except as aforesaid, be construed as One Act.

Recited Act
and this Act
to be construed
as One Act.

XI. And be it further enacted, That all the Costs, Charges and Expences attending the applying for, obtaining and passing this Act, shall be paid and discharged by the Directors of the said Company out of the Joint Fund and Monies of the said Company which have been so subscribed as aforesaid.

Expences of the
Act how to be
paid.

XII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded.

Public Act.

Cap. cxxiv.

An Act to amend an Act of the last Session of Parliament, for facilitating Intercourse by Steam Navigation between the United Kingdom and the Continent and Islands of *America* and the *West Indies*. [26th May 1826.] 6 G.4. c. clxvii.

Cap. cxxv.

An Act for more effectually repairing and improving certain Roads in the Counties of *Kent* and *Surrey*, commonly called *The New Cross Turnpike Roads*. (b) [26th May 1826.]

[42 G.3. c. lxxiii. 49 G.3. c. cxxviii. repealed. Powers of 3 G.4. c. 126. 4 G.4. c. 95. 5 G.4. c. 69. extended to this Act.]

Cap. cxxvi.

An Act for more effectually repairing the Road from *Whitcross*,
K k 4 in.

in the Parish of *Leven*, in *Holderness*, in the East Riding of the County of *York*, to the Town of *Beverley* in the said County. (a)
[26th May 1826.]

[1 G.3. c.42. 22 G.3. c.90. 45 G.3. c.xcv. all repealed. Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. cxxvii.

An Act for more effectually repairing the Road from *Halifax* to *Sheffield*, in the West Riding of the County of *York*, so far as relates to the Third District of the said Road, and for diverting and altering the said District of Road. (a) [26th May 1826.]

[17 G.3. c.105. 37 G.3. c.160. 57 G.3. c.xvi. repealed so far as they relate to the Third District of Road. Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. cxxviii.

An Act for making, amending, widening, repairing and keeping in Repair certain Roads in the County of *Forfar*. (a)
[26th May 1826.]

[29 G.3. c.20. repealed in so far as regards the Road from *Montrose* to *Brechin*; and 44 G.3. c.xxi. wholly repealed. Powers of 4 G.4. c.49. extended to this Act.]

Cap. cxxix.

An Act for making a Turnpike Road from *Shipley* to *Bramley*, together with certain Branches therefrom, in the West Riding of the County of *York*. (a) [26th May 1826.]

[Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. cxxx.

An Act for more effectually improving the Roads from *Doncaster* to *Salter's Brook Bridge*, and for diverting and altering the said Roads, and making certain Branches therefrom, all in the County of *York*. (a) [26th May 1826.]

[14 G.2. c.31. 2 G.3. c.71. 29 G.3. c.98. 50 G.3. c.xxxiv. all repealed so far as they relate to the Road from *Doncaster* to *Salter's Brook*. Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. cxxxii.

An Act for more effectually repairing the Road from *Sudbury* in the County of *Suffolk*, to *Bury Saint Edmunds* in the said County. (a) [26th May 1826.]

[2 G.3. c.75. 11 G.3. c.58. 41 G.3. (U. K.) c.vi. repealed. Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. cxxxiii.

An Act for more effectually repairing, widening and improving the Roads from *Cranford Bridge* in the County of *Middlesex* to that

that End of *Maidenhead Bridge* which lies in the County of *Bucks*, and from *Slough* to *Eton Town End*, and from *Langley Broom* to *Datchet Bridge* in the said County of *Bucks*; and for watering the said Roads. (a) [26th May 1826.]

[13 G.1. c.31. 17 G.2. c.19. 7 G.3. c.61. 36 G.3. c.140. 49 G.3. c.lvii. repealed. Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. cxxxiii.

An Act for making a Road from the Foot of the *Salt Market* of *Glasgow* to the *Kilmarnock* or *Cathcart* Turnpike Road, and for building a Bridge in the Line thereof across the River *Clyde* from *Glasgow* to *Hutchisontown*. (b) [26th May 1826.]

[46 G.3. c.58. recited. Powers of 4 G.4. c.49. extended to this Act.]

Cap. cxxxiv.

An Act for more effectually repairing the Road from *Markfield* Turnpike to the Road leading from *Loughborough* to *Ashby de la Zouch* in the County of *Leicester*. (a) [26th May 1826.]

[30 G.2. c.49. 32 G.3. c.107. 45 G.3. c.lxxix. repealed. Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. cxxxv.

An Act for more effectually repairing the Road leading from the *Willersley* Turnpike Road near *Parton* to *Monkland Mill*, and other Roads therein mentioned, in the Counties of *Hereford* and *Worcester*. (a) [26th May 1826.]

[22 G.3. c.100. 44 G.3. c.lxii. repealed. Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. cxxxvi.

An Act for making a Turnpike Road from *Wells next the Sea* to *Fakenham*, with a Branch therefrom, all in the County of *Norfolk*. (a) [26th May 1826.]

[Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. cxxxvii.

An Act for more effectually repairing the Road from the Turnpike Road at or near the Town of *Swindon* to the North End of the Town of *Marlborough* in the County of *Wilts*. (a) [26th May 1826.]

[2 G.3. c.49. 24 G.3. Sess.1. c.30. 45 G.3. c.xxxvii. repealed so far as they relate to the *Swindon District*. Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. cxxxviii.

An Act for more effectually repairing and improving several Roads leading to and from the Town of *Salford*, through *Pendleton* and other

other Places therein mentioned, in the County Palatine of Lancaster, and several other Roads therein mentioned; and for making and maintaining certain Diversions or new Lines of Road to communicate therewith. (a) [26th May 1826.]

[33 G.3. c.181. repealed so far as extends to the Districts now to be called the Pendleton, Swinton, Irlam's o' th' Height, Gilda Brook and Irlam, and Agecroft Districts. Powers of 3 G.4. c.126. 4 G.4. c.95. 5 G.4. c.69. extended to this Act.]

Cap. cxxxix.

An Act for making and maintaining a Railway or Tramroad from the City of Limerick to the Town of Carrick in the County of Tipperary, with several Branches therefrom in the County of Tipperary aforesaid and in the County of the City of Waterford. [31st May 1826.]

Cap. cxl.

An Act to amend an Act of His late Majesty's Reign, for confirming certain Articles of Agreement between the Company of Proprietors of the Grand Junction Canal and certain Persons, for supplying with Water the Inhabitants of Paddington and Places adjacent in the County of Middlesex; and also an Act of His said late Majesty's Reign, to alter certain Acts relating to the Grand Junction Canal, the Grand Junction Waterworks, and the Regent's Canal, in order to effect an Exchange of Water for the better Supply of the Regent's Canal Navigation and Grand Junction Waterworks; and for amending the Powers vested in the Grand Junction Waterworks Company; and for other Purposes relating thereto. [31st May 1826.]

[See 33 G.3. c.lxxx. 35 G.3. c.xliii. 38 G.3. c.xxxiii. 51 G.3. c.clxix. 52 G.3. c.cxcv. 56 G.3. cc.iv. lxxxv. 59 G.3. c.cxi. 5 G.4. c.xxxv.]

Cap. cxli.

24 G.3. Sess.2. c.15. An Act to repeal an Act of the Twenty fourth Year of His late Majesty King George the Third, for the better Relief and Employment of the Poor belonging to several Parishes within the Town of Shrewsbury, and the Liberties thereof, in the County of Salop; and to make other Provisions in lieu thereof. [31st May 1826.]

Cap. cxlii.

An Act for consolidating the Trusts of the several Turnpike Roads in the Neighbourhood of the Metropolis, North of the River Thames. [31st May 1826.]

‘ WHEREAS the several Roads in the Neighbourhood of the
 ‘ Metropolis, North of the River Thames, which are parti-
 ‘ cularly mentioned and described in the First Schedule hereto
 ‘ annexed, together with the Bridge over the River Lea, between
 ‘ the Counties of Middlesex and Essex, commonly called Lea
 ‘ Bridge, and mentioned and described in the Thirteenth Part of
 ‘ the said First Schedule, are or are directed to be respectively
 ‘ repaired

repaired and sustained, and they or some of them, or some Parts thereof, are or are directed to be respectively watched, lighted and watered, and they or some of them, or some Parts thereof, may be widened or otherwise altered and improved, and such of them as are not now actually set out, made and completed, are directed to be set out, made and completed, under the Powers and Provisions of the following Acts; (that is to say,) — The Roads mentioned and described in the First Part of the said First Schedule, under the Powers and Provisions of an Act passed in the Sixth Year of the Reign of His present Majesty King George the Fourth, intituled *An Act for more effectually repairing, widening and improving the Road from Knightsbridge to Counters Bridge, and certain other Roads in the County of Middlesex, and for lighting, watching and watering the said Roads*: — The Roads mentioned and described in the Second Part of the said First Schedule hereto annexed, under the Powers and Provisions of an Act passed in the Seventh Year of the Reign of His late Majesty King George the Third, intituled *An Act to continue and render more effectual several Acts of Parliament for repairing the Highways from that Part of Counters Bridge which lies in the Parish of Kensington in the County of Middlesex, leading through the Towns of Brentford and Hounslow, to the Powder Mills in the Road to Staines, and to Cranford Bridge in the said County in the Road to Colnbrook; and for repairing, turning or altering the Highway leading from the said Road, at or near the End of Sion Lane, to the Town of Isleworth in the said County, and from thence to a Gate on the South Side of Teddington Field, and also the Highway leading out of the said Great Road near Smallbury Green Turnpike to a House known by the Sign of The George in the Town of Isleworth aforesaid; and for lighting and watering Part of the said Highways*; an Act passed in the Thirty first Year of the Reign of His said late Majesty King George the Third, intituled *An Act to enlarge the Term and Powers of an Act made in the Seventh Year of the Reign of His present Majesty, for repairing the Highways from that Part of Counters Bridge which lies in the Parish of Kensington in the County of Middlesex, leading through the Towns of Brentford and Hounslow, to the Powder Mills in the Road to Staines, and to Cranford Bridge in the said County in the Road to Colnbrook; and for repairing, turning or altering the Highway leading from the said Road, at or near the End of Sion Lane, to the Town of Isleworth in the said County, and from thence to a Gate on the South Side of Teddington Field, and also the Highway leading out of the said Great Road near Smallbury Green Turnpike to a House known by the Sign of The George in the Town of Isleworth aforesaid; and for lighting and watering Part of the said Highways*; an Act passed in the Thirty fifth Year of the Reign of His said late Majesty King George the Third, intituled *An Act to continue the Term and enlarge the Powers of Two Acts, made in the Seventh and Thirty first Years of the Reign of His present Majesty, for repairing the Highways from that Part of Counters Bridge which lies in the Parish of Kensington in the County of Middlesex, leading through the Towns of Brentford and Hounslow, to the Powder Mills in the Road to Staines, and*

Kensington Road.
 6 G. 4. c. 157.

 Brentford Road.
 7 G. 3. c. 88.

 31 G. 3. c. 124.

 35 G. 3. c. 134.
 ' to

- 43 G.3. c.16. ' to Cranford Bridge in the said County in the Road to Colnbrook ;
' and for repairing, turning or altering the Highway leading from
' the said Road, at or near the End of Sion Lane, to the Town of
' Isleworth in the said County, and from thence to a Gate on the
' South Side of Teddington Field, and also the Highway leading
' out of the said Great Road near Smallbury Green Turnpike to
' a House known by the Sign of The George in the Town of
' Isleworth aforesaid ; and for lighting and watering Parts of the
' said Highways ; and an Act passed in the Forty third Year of
' His said late Majesty King George the Third, intituled *An Act*
' *to alter and enlarge the Powers of Three Acts, made in the*
' *Seventh, Thirty first, and Thirty fifth Years of the Reign of His*
' *present Majesty, for repairing the Highways from that Part of*
' *Counters Bridge which lies in the Parish of Kensington in the*
' *County of Middlesex, leading through the Towns of Brentford*
' *and Hounslow, to the Powder Mills in the Road to Staines, and*
' *to Cranford Bridge in the Road to Colnbrook, and several other*
' *Roads in the said County, so far as relates to the Old District of*
Isleworth
Road.
7 G.3. c.88.
31 G.3. c.124.
35 G.3. c.134.
53 G.3. c.90.
' Road described in the First of the said Acts : — The Roads men-
' tioned and described in the Third Part of the said First Schedule
' hereto annexed, under the Powers and Provisions of the said
' recited Acts of the Seventh, Thirty first and Thirty fifth Years
' of the Reign of His late Majesty King George the Third, and of
' an Act passed in the Fifty third Year of the Reign of His said
' late Majesty King George the Third, intituled *An Act to alter*
' *and enlarge the Powers of Three Acts of His present Majesty, for*
' *repairing the Highways from that Part of Counters Bridge which*
' *lies in the Parish of Kensington in the County of Middlesex,*
' *leading through the Towns of Brentford and Hounslow, to the*
' *Powder Mills in the Road to Staines, and to Cranford Bridge in*
' *the Road to Colnbrook, and several other Roads in the said*
' *County, so far as the same relate to the New District of the Road*
' *therein described : — The Roads mentioned and described in the*
Uxbridge
Road.
7 G.4. c.76.
' Fourth Part of the said First Schedule, under the Powers and
' Provisions of an Act passed in this present Session of Parliament,
' intituled *An Act for more effectually repairing the Roads between*
' *Tyburn and Uxbridge, and the Road leading from Brent Bridge,*
' *over Hanwell Heath, to the Great Western Road ; and also for*
' *making and maintaining a Turnpike Road from the Uxbridge*
' *Road at Shepherd's Bush Common, to the said Great Western*
' *Road near Turnham Green, all in the County of Middlesex ;*
' *and for lighting, watching and watering the said Roads : — The*
Mary le bone
Road.
7 G.1. c.26.
' Roads mentioned and described in the Fifth Part of the said First
' Schedule, under the Powers and Provisions of an Act passed in
' the Seventh Year of the Reign of His late Majesty King George
' the First, intituled *An Act for repairing the Road from Saint*
' *Giles's Pound to Kilbourne Bridge in the County of Middlesex ;*
' *an Act passed in the Eighth Year of the Reign of His late*
' *Majesty King George the Second, intituled *An Act for enlarging**
' *the Term and Powers granted by an Act passed in the Seventh*
' *Year of the Reign of His late Majesty King George the First, for*
' *repairing the Road from Saint Giles's Pound to Kilbourne Bridge*
' *in the County of Middlesex ; and for paving that Part of the*
23 G.3. c.110. ' Road called Oxford Street ; an Act passed in the Twenty third
' Year

- Year of the Reign of His late Majesty King George the Third,
 • intituled *An Act for enlarging the Terms and Powers of Two*
 • *Acts, made in the Seventh Year of King George the First and*
 • *in the Eighth Year of King George the Second, for repairing*
 • *the Road from Saint Giles's Pound to Kilbourne Bridge, and for*
 • *paving Oxford Road; and also of an Act made in the Twenty*
 • *ninth Year of King George the Second, to enable the respective*
 • *Trustees of the Turnpike Roads leading to Highgate Gatehouse*
 • *and Hampstead, and from Saint Giles's Pound to Kilbourne, to*
 • *make a new Road from the Great Northern Road at Islington*
 • *to the Edgware Road near Paddington, so far as the same is*
 • *by the said Act directed to be under the Management of the*
 • *Trustees of the said Two first mentioned Acts; and an Act*
 • *passed in the Forty eighth Year of the Reign of His late Ma-* 48 G. 3. c. 100.
 • *jeasty King George the Third, intituled An Act for enlarging*
 • *the Terms and Powers of several Acts for repairing the Road*
 • *from Saint Giles's Pound to Kilbourne Bridge, and for making*
 • *a new Road from the Great Northern Road at Islington to*
 • *the Edgware Road near Paddington in the County of Mid-*
 • *dlesex:—The Roads mentioned and described in the Sixth* Harrow Road.
 • *Part of the said First Schedule, under the Powers and Pro-* 7 G. 4. c. 91.
 • *visions of an Act passed in this present Session of Parliament,*
 • *intituled An Act for more effectually repairing and improving*
 • *the Road leading from Paddington to Harrow on the Hill in*
 • *the County of Middlesex, and for making certain new Lines*
 • *of Road to communicate with the same:—The Roads men-* Kilburn Road.
 • *tioned and described in the Seventh Part of the said First Sche-*
 • *dule, under the Powers and Provisions of an Act passed in the*
 • *Nineteenth Year of His late Majesty King George the Third, in-* 19 G. 3. c. 120.
 • *tituled An Act for continuing the Term and altering and enlarg-*
 • *ing the Powers of several Acts of Parliament, made in the Tenth*
 • *Year of the Reign of Queen Anne, the Eighth Year of King*
 • *George the First, and the Twenty-second Year of His late Ma-*
 • *jeasty, for repairing the Road leading from Kilbourne Bridge, in*
 • *the County of Middlesex to Sparrows Herne in the County of*
 • *Hertford; and an Act passed in the Thirty ninth Year of the* 39 G. 3. c. 13.
 • *Reign of His late Majesty King George the Third, intituled An*
 • *Act to continue for the Term of Twenty one Years, and from*
 • *thence to the End of the then next Session of Parliament, the*
 • *Term, and for altering and enlarging the Powers of an Act made*
 • *in the Nineteenth Year of the Reign of His present Majesty, for*
 • *repairing the Road leading from Kilburn Bridge in the County*
 • *of Middlesex to Sparrows Herne in the County of Hertford; and*
 • *an Act passed in the Fifty ninth Year of the Reign of His late* 59 G. 3. c. 47.
 • *Majesty King George the Third, intituled An Act for continuing*
 • *the Term and altering and enlarging the Powers of Two Acts of*
 • *His present Majesty, for repairing the Road leading from Kilburn*
 • *Bridge in the County of Middlesex to Sparrows Herne in the*
 • *County of Hertford:—The Roads mentioned and described in* Highgate and
 • *the Eighth Part of the said First Schedule, under the Powers and* Hampstead
 • *Provisions of an Act passed in the First and Second Years of the* Roads.
 • *Reign of His present Majesty King George the Fourth, intituled* 1 & 2 G. 4.
 • *An Act for more effectually repairing the Roads leading to Highgate* c. 110.
 • *Gatehouse and Hampstead, and other Roads therein mentioned,*
 • *all*

City Road.

5 G. 4. c. 61.

Stamford Hill
Road.

55 G. 3. c. 59.

Old Street
Road.

26 G. 2. c. 87.

29 G. 2. c. 44.

12 G. 3. c. 90.

29 G. 3. c. 82.

*' all in the County of Middlesex, and for watching, lighting and otherwise improving the said Roads :— The Road mentioned and described in the Ninth Part of the said First Schedule, under the Provisions of an Act passed in the Fifth Year of the Reign of His present Majesty King George the Fourth, intituled *An Act for more effectually amending, improving and keeping in repair the Road from the North east Side of the Goswell Street Road, next Islington, to the North west Corner of Finsbury Square by the Artillery Ground, in the County of Middlesex, commonly called and known by the Name of The City Road :— The Roads mentioned and described in the Tenth Part of the said First Schedule hereto annexed, under the Powers and Provisions of an Act passed in the Fifty fifth Year of the Reign of His late Majesty King George the Third, intituled *An Act to repeal an Act of His present Majesty, for repairing the Roads from the Stones End in the Parish of Saint Leonard Shoreditch, to the Northern Road in the Parish of Enfield, and from the Place where the Watch-house in Edmonton formerly stood, to the Market Place in Enfield, and from Newington Green to Bush Hill, and for the several other Purposes therein mentioned; and to provide for more effectually repairing the said Roads, and for lighting, watching and watering several Parts thereof :— The Roads mentioned and described in the Eleventh Part of the said First Schedule, under the Powers and Provisions of an Act passed in the Twenty sixth Year of the Reign of His late Majesty King George the Second, intituled *An Act for repairing and widening the Road from the Stones End near Shoreditch Church to the Centre of the Bridge in Old Street Road, and through Old Street in the Parish of Saint Luke Middlesex, to the West End of the said Street next the Pavement in Goswell Street; an Act passed in the Twenty ninth Year of the Reign of His said late Majesty King George the Second, intituled *An Act to enable the Trustees for repairing Old Street Road to repair, widen and make a Road from the Sign of The Red Lion on Windmill Hill, through Worship Street, to the Ditch Side next the East Side of Holywell Mount, and through a certain Ground to the Sign of The London Apprentice, in the Parishes of Saint Luke and Saint Leonard Shoreditch, in the County of Middlesex, or to lay open, repair and widen a Road from the said Red Lion, through the Dog Bar, into the Old Street Road, in the said County; an Act passed in the Twelfth Year of the Reign of His late Majesty King George the Third, intituled *An Act for enlarging the Term and Powers of Two Acts made in the Twenty sixth and Twenty ninth Years of the Reign of His late Majesty King George the Second, for repairing and widening Old Street Road, in the Parishes of Saint Luke and Saint Leonard Shoreditch in the County of Middlesex; an Act passed in the Twenty ninth Year of the Reign of His said late Majesty King George the Third, intituled *An Act to enlarge the Term and Powers of Three Acts made in the Twenty sixth and Twenty ninth Years of the Reign of His late Majesty King George the Second, and the Twelfth Year of the Reign of His present Majesty, for repairing and widening Old Street Road, in the Parishes of Saint Luke and Saint Leonard Shoreditch in the County of Middlesex; and also for repairing and keeping in repair the Road lead-*******

' ing

- ing from Worship Street to Crown Street, along the East Side of Moorfields; and an Act passed in the Fifty second Year of the Reign of His said late Majesty King George the Third, intituled *An Act for enlarging the Term and Powers of Two Acts of King George the Second, and Two Acts of His present Majesty, for repairing and widening Old Street Road, and other Roads therein mentioned, in the County of Middlesex*:—The Roads mentioned and described in the Twelfth Part of the said First Schedule, under the Powers and Provisions of an Act passed in the First and Second Years of the Reign of His present Majesty King George the Fourth, intituled *An Act for repairing and maintaining the Road from Shoreditch Church through Hackney to Stamford Hill in the County of Middlesex, and other Roads communicating therewith in the same County*:—The Roads mentioned and described in the Thirteenth Part of the said First Schedule hereto annexed, under the Powers and Provisions of an Act passed in the Thirtieth Year of the Reign of His late Majesty King George the Second, intituled *An Act for building a Bridge over the River Lea, at or near a Place called Jeremy's Ferry, and for making, repairing and widening Roads from thence into the Great Roads at Snarebrooke in the County of Essex, and at Clapton in the County of Middlesex*; an Act passed in the Eighteenth Year of the Reign of His late Majesty King George the Third, intituled *An Act to continue and enlarge the Term and Powers of an Act made in the Thirtieth Year of the Reign of King George the Second, for building a Bridge over the River Lea, at or near a Place called Jeremy's Ferry, and for making, repairing and widening Roads from thence into the Great Roads at Snarebrooke in the County of Essex, and at Clapton in the County of Middlesex*; an Act passed in the Thirty ninth Year of the Reign of His late Majesty King George the Third, intituled *An Act to continue for Twenty one Years, and from thence to the End of the then next Session of Parliament, the Term and Powers of Two Acts, passed in the Thirtieth Year of the Reign of His late Majesty and the Eighteenth Year of the Reign of His present Majesty for building a Bridge over the River Lea, at or near a Place called Jeremy's Ferry, and for making, repairing and widening Roads from thence into the Great Roads at Snarebrooke, in the County of Essex, and at Clapton in the County of Middlesex*; and an Act passed in the First Year of the Reign of His present Majesty King George the Fourth, intituled *An Act to continue and amend several Acts for building a Bridge over the River Lea at Jeremy's Ferry, and for repairing Roads from thence into the Great Roads at Snarebrooke in the County of Essex, and at Clapton in the County of Middlesex*:—And the Road mentioned and described in the Fourteenth Part of the said First Schedule, under the Powers and Provisions of an Act passed in the Fifth Year of the Reign of His present Majesty King George the Fourth, intituled *An Act for making and maintaining a Road from the Hampstead Road in Camden Town to the North Road at Holloway, in the Parish of Saint Mary Islington in the County of Middlesex*: And Whereas the said several Roads mentioned and described in the said First Schedule hereto annexed, comprise the principal Approaches to the Metropolis
- 52 G. 3. c. 3.
- Hackney Road.
- 1 & 2 G. 4. c. 112.
- Lea Bridge Road.
- 30 G. 2. c. 59.
- 18 G. 3. c. 10.
- 39 G. 3. c. 23.
- 1 G. 4. c. 3.
- New Road from Camden Town to Holloway.
- 5 G. 4. c. 138.

' Metropolis on the North Side of the River *Thames*, and the
 ' Traffic thereon is consequently very extensive : And Whereas
 ' if the said several Roads were vested in and placed under the
 ' Care and Management of One Board of Commissioners, and the
 ' Trusts thereof consolidated, the Expences of maintaining and
 ' repairing the said Roads, and the other Expences connected
 ' therewith, would be materially lessened, and the Sums necessary
 ' to be raised for the Purpose of defraying such Expences could
 ' be collected with much less Inconvenience to the Public, and
 ' the said Roads could be materially improved ; and it would
 ' therefore be of general public Importance and Utility, and is
 ' advisable, that the several Trustees by the said several recited
 ' Acts appointed, and under whom the said Roads are now main-
 ' tained, should be discharged from the future Management
 ' thereof, and that a Board of Commissioners should be established
 ' for superintending the whole of the said Roads, and that the
 ' Trusts of the said several Roads should be consolidated, and that
 ' all the Powers and Authorities given by the said several recited
 ' Acts to the several Trustees appointed by or under the said Acts,
 ' or such of the said Powers and Authorities as it is now necessary
 ' or expedient to retain, should be transferred from the said
 ' Trustees to such Commissioners, and that such other Powers
 ' should be given to the said Commissioners as may be necessary
 ' for more effectually attaining the Purposes of this Act : And
 ' Whereas, in order to accomplish the several Purposes aforesaid,
 ' it will be most convenient to repeal all the said several recited
 ' Acts, and to re-enact, in the Manner hereinafter mentioned, such
 ' of the Clauses and Provisions therein contained as it may be ne-
 ' cessary or proper to have preserved : And Whereas the several
 ' Sums of Money borrowed for the Purposes of the said Acts have
 ' been secured upon the Tolls by the said Acts respectively author-
 ' ized to be taken, and various Annuities have, by or under some
 ' of the said recited Acts, been made payable out of the Tolls
 ' thereby authorized to be taken ; and it is expedient that Pro-
 ' vision should be made for preventing the Individuals who are
 ' entitled to the said Sums of Money and Annuities from being in
 ' any Manner prejudiced by the Repeal of the said Acts, or the
 ' Consolidation of the Trusts of the said Roads : And Whereas
 ' an Act was passed in the Third Year of the Reign of His present
 ' Majesty, intituled *An Act to amend the general Laws now in being*
 ' *for regulating Turnpike Roads in that Part of Great Britain*
 ' *called England* : And Whereas an Act was passed in the Fourth
 ' Year of the Reign of His present Majesty, intituled *An Act to*
 ' *explain and amend an Act passed in the Third Year of the Reign*
 ' *of His present Majesty, to amend the general Laws now in being*
 ' *for regulating Turnpike Roads in that Part of Great Britain*
 ' *called England* : May it therefore please Your Majesty that it
 ' may be enacted ; and be it enacted by the King's most Excellent
 ' Majesty, by and with the Advice and Consent of the Lords Spi-
 ' ritual and Temporal, and Commons, in this present Parliament
 ' assembled, and by the Authority of the same, That from and after
 ' the First Day of *January* One thousand eight hundred and Twenty
 ' seven, all the said several hereinbefore recited Acts, except the
 ' said lastly recited Acts of the Third and Fourth Years of the
 ' Reign

3 G.4. c.126.

4 G.4. c.95.

Recited Acts,
 except 3 G.4.
 c.126. and
 4 G.4. c.95.
 repealed.

Reign of His present Majesty (which for the Sake of Distinction are hereinafter called the General Turnpike Acts), shall be and the same are hereby repealed.

II. And Whereas by an Act passed in the Eighth Year of the 8 G.3. c.33.
 Reign of His late Majesty King George the Third, intituled *An Act for opening certain Passages and for paving the Streets and other Places in the Parish of Saint Leonard Shoreditch in the County of Middlesex, and for preventing Annoyances therein*, the Commissioners appointed to put the said Act in Execution were authorized and empowered to pave certain Streets and Places therein mentioned, and also to purchase and pull down several Houses and Buildings therein described, for the Purpose of widening certain Parts of the said Streets and Places; and to enable them so to do, they were thereby authorized and empowered to make and levy a Rate or Assessment upon the Inhabitants and Occupiers of Lands, Houses, Buildings and other Tenements, within the Streets and Lanes comprised in the said Act, and were also authorized and empowered to erect and set up, or cause to be erected and set up, a Gate or Turnpike in, upon and across the High Street called *Holywell Street*, in the said Parish of *Saint Leonard Shoreditch*, between the South Side of *Shoreditch Church* and the North Side of the Road leading to *Bethnal Green*; and also to erect or provide a Toll House, in such Manner as the said Commissioners or any Five or more of them should think proper, and to receive and take the Sum of One Halfpenny before any Horse, Mare, Gelding or Mule, whether drawing or not drawing, should be permitted to pass through such Gate or Turnpike, which should be taken as a Toll or Duty: And by an Act passed in the Twenty fifth Year of the 25 G.3. c.96.
 Reign of His said late Majesty King George the Third, intituled *An Act for amending Two Acts, of the Eighth and Sixteenth Years of His present Majesty, for opening certain Passages and for paving the Streets and other Places in the Parish of Saint Leonard Shoreditch, and such Part of Hog Lane as lies within the Liberty of Norton Falgate, in the County of Middlesex, and for preventing Annoyances therein*, the said Commissioners were empowered to take at the said Gate an additional Toll of One Halfpenny for every Horse, Mare, Gelding, Mule or Ass, over and above the Toll authorized to be taken by the said last recited Act of the Eighth Year of His late Majesty King George the Third, and from time to time to lower the said Toll, and to raise the same again: And Whereas for enabling the said Commissioners to carry into Execution the Purposes of the said Act of the Eighth Year of His late Majesty King George the Third, they were thereby and by the said recited Act of the Twenty fifth Year of His late Majesty King George the Third, and by another Act passed in the Sixteenth Year of the Reign of His 16 G.3. c.60.
 said late Majesty, intituled *An Act to amend and render more effectual an Act made in the Eighth Year of the Reign of His present Majesty, for opening certain Passages and for paving the Streets and other Places in the Parish of Saint Leonard Shoreditch in the County of Middlesex, and for preventing Annoyances therein, and for extending the Powers of the said Act to such Part of a Lane called Hog Lane as lies within the Liberty of Norton*
 7 GEO. IV. L 1 Falgate

‘ *Falgate in the said County*, authorized and empowered to raise certain Sums of Money, by way of Annuity, on the Credit of the said Toll and Rate: And Whereas, in pursuance of the Powers and Authorities of the said Acts, the Commissioners for putting the same in execution have granted several Annuities, all of which have long since ceased, except an Annuity of One hundred and thirty six Pounds payable to *Mistress Sarah Coombe*, or her Assigns, during her Life, and which is still chargeable upon the said Toll and Rate; and by and with the Sums received for the Purchase of the said Annuity, and the annual Produce of the said Toll and Rate, the said Commissioners have widened and improved all the Passages and Ways by the said Acts directed to be opened, and have paved all the Streets, Lanes and Ways thereby placed under their Management and Direction: And Whereas the Toll payable by the said Act of the Eighth Year of His late Majesty's Reign hath been and still continues to be collected and received at the Turnpike Gate set up and erected in pursuance of the said Act (and which Toll has been leased by the said Commissioners for a Term which will expire on the Twenty ninth Day of *September* next), although the Amount of the Rate which the said Commissioners are, by virtue of the Powers in them vested, authorized to make and levy, together with the Accumulation of Monies now in their Possession, would be sufficient to satisfy and discharge the said Annuity now payable, as well as to provide for keeping in repair the Pavements of the several Streets and Places comprised in the said Acts, without any Toll being levied on the Public in aid thereof;’ Be it therefore further enacted, That from and after the Twenty ninth Day of *September* now next ensuing, so much of the hereinbefore recited Acts of the Eighth and Twenty fifth Years of the Reign of His late Majesty King *George* the Third, as authorized the setting up any Toll Gate or Side Gate, and the collecting, levying and receiving of any Toll or Duty in *Holywell Street* in the Parish of *Saint Leonard Shoreditch* aforesaid, shall be and the same is hereby repealed; and the Commissioners acting in the Execution of the said Acts are hereby authorized and required, within the Space of One Month from and after the said Twenty ninth Day of *September* next, to pull down and remove, or cause to be pulled down and removed, the said Turnpike Gates and Toll House, and the several Side Bars set up under the Authority of the said Acts, and to sell and dispose of the Materials thereof, and apply the Proceeds thereof for the Purpose of keeping the Pavements under their Jurisdiction in repair.

III. And be it further enacted, That the said Annuity of One hundred and thirty six Pounds, so payable to the said *Sarah Coombe*, or her Assigns, during her Life, as hereinbefore is mentioned, and all Arrears thereof, shall from henceforth be charged and chargeable upon and payable out of the Rate or Rates to be from time to time made and levied by or under the Authority of the Commissioners for putting the said last mentioned Acts of Parliament in execution, and other the Monies and Effects in the Possession and Custody or under the Control or Power of the said Commissioners, or any of them, and shall be paid and payable in the Manner, and subject to the like Provisions for the Recovery

Turnpike Gate
in Holywell
Street to be re-
moved, and the
Toll abolished.

Directing the
Payment of
Mrs. Coombe's
Annuity.

Recovery thereof, as in the said last mentioned Acts or either of them are contained.

IV. Provided always, and be it further enacted, That the Repeal of the said Acts hereby repealed shall not have the Effect of re-
 Not to revive repealed Acts.
 vivifying any former Acts which have been repealed by those Acts: or any of them, but such former Acts shall continue repealed, in the same Manner as if this Act had not been made.

V. Provided also, and be it further enacted, That nothing herein contained shall extend to prevent the suing for and recovery of any Penalty incurred or to be incurred by any Offence against the Provisions of the said hereinbefore recited Acts or any of them, previously to the said First Day of *January* One thousand eight hundred and twenty seven, or to prevent or defeat any Prosecution commenced or to be brought for such Offence, but all Penalties already incurred or which may be incurred before the said First Day of *January* One thousand eight hundred and twenty seven, under the Provisions of the said recited Acts, may be sued for, and all Encroachments, Nuisances and other Offences already made or committed, or which may be made or committed before the said First Day of *January* One thousand eight hundred and twenty seven, against the Provisions of the said recited Acts or any of them, may be abated or prosecuted in the same Manner to all Intents and Purposes as if this Act had not been passed.
 Nor prevent the Recovery of Penalties incurred previously to this Act coming in operation.

VI. And be it further enacted, That the several Powers and Provisions of the said General Turnpike Acts (except as the same are by this Act expressly varied, altered or repealed, as to the said Roads mentioned and described in the said First Schedule hereto annexed,) shall extend to the Roads mentioned and described in the said First Schedule, and shall be of as full Force and Effect for all Purposes whatever, relating to or connected with the said Roads, as if the same were expressly re-enacted by and embodied in this Act.
 Powers of the General Turnpike Acts extended to this Act.

VII. And be it further enacted, That the Members for the City of *London*, the County of *Middlesex* and the City of *Westminster* for the Time being, and Lord Viscount *Louth*, Lord Viscount *Duncannon*, Lord Viscount *Belgrave*, Sir *Thomas Baring* Baronet, Sir *John Sobrigh* Baronet, Sir *Henry Parnell* Baronet, *Nicholson Calvert* Esquire, *James Brogden* Esquire, *Davies Gilbert* Esquire, Colonel *Thomas Wood*, *William Heygate* Esquire, *George Holme Sumner* Esquire, *John Maberly* Esquire, *Joseph Hume* Esquire, *Frankland Lewis* Esquire, *John Wilson Croker* Esquire, *William Holmes* Esquire, *John Calcraft* Esquire, *William Henry Trant* Esquire, Colonel *Sheldon Cradock*, *Sampson Hanbury* Esquire, *William Hobson* Esquire, *John Leach Panter* Esquire, *Robert Ashton* Esquire, Colonel *James Clitherow*, *Alexander Copland* Esquire, *Daniel Mildred* Esquire, junior, Sir *Thomas Thompson*, *Mark Beaufoy* Esquire, Captain *James Deans*, *Richard Lambert Jones* Esquire, *John Carrick* Esquire, *Edmund Freherne* Esquire, *Richard Henry Cox* Esquire, *John Joseph Austin* Esquire, *Archibald Campbell* Esquire, *William Day* Esquire, *James Harrison* of *Euston Place* Esquire, *Richard Carpenter* Esquire, *Alexander Milne* Esquire, shall be and they are hereby appointed Commissioners for making, amending, widening, improving, repairing and keeping in repair, cleansing, lighting, watching and watering, pursuant
 Appointment of Commissioners.

suant to the Provisions in the said General Turnpike Acts and herein contained, the said several Roads mentioned and described in the said First Schedule hereto annexed, and for exercising and carrying into effect the several Powers and Provisions of this Act, and also the Powers and Provisions of the said General Turnpike Acts, so far as regards the said several Roads mentioned and described in the said First Schedule, and so far as such last mentioned Powers and Provisions are not expressly varied, altered or repealed, in respect to the said Roads, by this Act; and that the said Commissioners and their Successors shall be called and known by the Name of "The Commissioners of the Metropolis Turnpike Roads North of the *Thames*;" and that Successors to the said Commissioners shall from time to time be appointed as Occasion shall require, in the Manner following; (that is to say,) when and so often as any one of the Commissioners hereinbefore appointed, or to be appointed as next hereinafter is mentioned, shall die, or by Writing under his Hand refuse to act in the Execution of this Act, it shall be lawful for the surviving or remaining Commissioners to elect and appoint another fit Person, qualified as by the said General Turnpike Acts is required, to be a Commissioner, in the Room of the Commissioner so dying or refusing to act; provided that Notice of the Time and Place of Meeting of the said Commissioners for every such Election be given by the principal Clerk to the said Commissioners, by inserting the same in the *London Gazette* and Two or more daily Morning Newspapers published in *London* or *Middlesex*, at least Fourteen Days before the Day fixed for holding such Meeting.

Power to appoint additional Commissioners.

VIII. And be it further enacted, That it shall be lawful for the said Lord High Treasurer or the Commissioners of the Treasury for the Time being, or any Three or more of them, by any Writing under their Hands, to elect and appoint any other Person or Persons, not being more than Six in Number, to be a Commissioner or Commissioners for carrying this Act into Execution; and every Person or Persons who shall be so elected and appointed is and are hereby vested with the same Powers and Authorities as if he or they had been named in this present Act, and had been hereby appointed a Commissioner or Commissioners for carrying this Act into Execution.

How Meetings of Commissioners to be held.

IX. And be it further enacted, That Meetings of the said Commissioners appointed and to be appointed by and under this Act shall be held in the Manner directed by the said General Turnpike Acts.

First Meeting of Commissioners.

X. And be it further enacted, That the First Meeting of the said Commissioners may be holden before the said First Day of *January* One thousand eight hundred and twenty seven, (Notice of such Meeting under the Hands of Three of the said Commissioners, and specifying the Time and Place where such Meeting shall be holden, having been previously given in the *London Gazette* and Two or more *London* Newspapers,) and such Meeting may, if they think proper, adjourn to any other Time and Place; and at such Meeting or any other Meeting of the said Commissioners under the Powers and Provisions of this Act or of the General Turnpike Acts, the said Commissioners shall have full Power to call for and examine the Accounts of the present Trustees

tees of the said Roads mentioned and described in the said First Schedule hereto annexed, and to transact any Business or do any other Act, Matter or Thing connected with the Management of the said Roads, and preparatory to their undertaking the same, as to the said Commissioners shall seem meet, notwithstanding the Property and Management of the said Roads shall not then have actually become vested in them under the Powers and Provisions hereinafter contained.

XI. Provided always, and be it further enacted, That no Justice of the Peace for the Time being acting for any County, Division, Soke or Place, through which the Roads mentioned and described in the said First Schedule hereto annexed or any of them, or any Parts thereof, respectively pass, shall, as such Justice, be added to or joined with the Commissioners acting under this Act, or have or exercise any of the Powers and Authorities hereby given to the said Commissioners, any Thing in the said General Turnpike Acts, or in an Act passed in the Fifth Year of the Reign of His present Majesty King *George the Fourth*, intituled *An Act to enable Justices of the Peace for Ridings, Divisions or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads*, to the contrary thereof in anywise notwithstanding.

Justices of the Peace, as such, not entitled to act as Commissioners.

5 G. 4. c. 69.

XII. And be it further enacted, That except in the Cases specially provided for by this Act or the said General Turnpike Acts, no Commissioner shall act in the Execution of this Act or of the said General Turnpike Acts, so far as regards the Roads mentioned and described in the said First Schedule hereto annexed, except at a General or Special Meeting to be held as hereinbefore is mentioned.

Restriction as to Commissioners acting.

XIII. Provided always, and be it further enacted, That the present Collectors of the Tolls and all other Officers appointed under and by virtue of the said several Acts hereby repealed, shall, notwithstanding the Repeal of the said Acts, continue to act in the same Capacity from and after the said First Day of *January One thousand eight hundred and twenty seven*, for the Purposes of this Act and of the said General Turnpike Acts, until they shall be removed by the Commissioners acting under this Act; and whilst so acting, such Officers shall receive and be allowed the same Salaries as they would have been entitled to receive under the said respective Acts if they had not been hereby repealed, until such Salaries shall be increased or diminished by the said Commissioners.

Officers under former Acts to continue till removed.

Salaries.

XIV. Provided also, and be it further enacted, That all Officers and other Persons who shall have been appointed or employed, or who shall have received any Tolls or other Money, under or by virtue or in pursuance of the several Acts hereby repealed, or any or either of them, or who shall have in their Custody or Possession any Money, or any Books, Accounts, Papers, Writings or Things relating to the Execution of the said Acts, or any or either of them, or to the Roads mentioned and described in the said First Schedule hereto annexed, or any or either of them, shall, so soon as they shall be required so to do, account for, and shall on the said First Day of *January One thousand eight hundred and twenty seven*, or so soon after as they shall be required to do so, account for, pay and deliver over the same to the Commissioners acting

Officers and other Persons employed by former Trustees to account, &c. to Commissioners under this Act, in the same Manner as if they had been employed by them.

under this Act, in the same Manner as they would have done, and shall be subject to the like Provisions and Penalties for enforcing such Account, Payment and Delivery over, as they would have been subject to under the said General Turnpike Acts, if they had been appointed by the said Commissioners.

Leases of Tolls
and Contracts
under former
Acts to con-
tinue in force

XV. And be it further enacted, That all Leases of Tolls, and all Contracts and Agreements for the letting of Tolls, which shall have been entered into by the respective Trustees acting in the Execution of the said several Acts hereby repealed, and which Leases, Contracts and Agreements shall not have expired or been otherwise determined on or before the said First Day of *January* One thousand eight hundred and twenty seven, shall, from and after the said First Day of *January* One thousand eight hundred and twenty seven, be applicable to the Tolls by this Act authorized to be taken at the Gates or Bars to which such Leases, Contracts and Agreements shall respectively relate; and the said Leases, Contracts and Agreements, and also all Contracts and Agreements which shall have been entered into between the said Trustees and any Commissioners for paving, lighting and watching any Parish, Place or Division through which any of the said Roads pass, and all other Contracts and Agreements affecting or in anywise relating to the said Roads, which shall have been made by the respective Trustees thereof under any of the said Acts hereby repealed, and which Contracts or Agreements shall not have expired or been otherwise determined on or before the said First Day of *January* One thousand eight hundred and twenty seven, shall, from and after the said First Day of *January* One thousand eight hundred and twenty seven, continue and be of the same Force and Effect against and for the Benefit of the Commissioners acting under this Act, as the same would have been of against and for the Benefit of the said respective Trustees by whom the same were made and entered into, and their Successors, in case the said Acts had not been hereby repealed; and from and after the said First Day of *January* One thousand eight hundred and twenty seven, the said Commissioners appointed and to be appointed by or under this Act shall have the same Powers and Remedies for recovering the Rents and compelling Performance of the Covenants in such Leases respectively contained, and on the Part of the Lessees to be paid and performed, and for enforcing the Performance of such Contracts and Agreements, and for recovering any Penalties or Damages for the Nonpayment of such Rents or Nonperformance of such Covenants, Contracts and Agreements, and shall also have the same Benefit of all Securities given or entered into for the due Payment of such Rents and Performances of such Covenants, Contracts and Agreements respectively, as the respective Trustees by whom such Leases were made, or with whom such Contracts and Agreements were entered into, or to whom or for whose Benefit such Securities were given, could respectively have had in case this Act had not been passed, or as if the said Commissioners under this Act had been named in and been Parties to such Leases, Contracts or Agreements, instead of the Trustees named in and Parties thereto, and as if the said Securities had been given to or for the Benefit of the said Commissioners; and all Rents and Sums of Money which after the said First Day of *January* One thousand eight

eight hundred and twenty seven shall become due and payable under any such Lease, Contract, Agreement or Security, and if this Act had not been passed would have been due and payable to the Trustees acting in the Execution of the said Acts hereby repealed or any of them, or to any Person or Persons on behalf of the said Trustees or any of them, shall be due and payable to the said Commissioners under this Act; and the said Commissioners shall, from and after the said First Day of *January* One thousand eight hundred and twenty seven, be bound by every such Lease, Contract or Agreement, in the same Manner as if they had been Parties thereto, instead of the Trustees by or with whom such Lease, Contract or Agreement shall have been made or entered into; and the said Trustees, and all other Trustees acting in Execution of the said Acts hereby repealed, or any of them, shall cease to be bound by and shall be discharged from all Liability under or in respect of such Contracts and Agreements, except in respect of any Acts or Defaults previous to the said First Day of *January* One thousand eight hundred and twenty seven.

XVI. Provided always, and be it further enacted and declared, That the aforesaid Provisions shall not extend to any Lease, Contract or Agreement (other than and except any Contract or Agreement for the letting of Tolls), which shall have been made or entered into after the passing of this Act.

Not to extend to Leases, &c. made after the passing of this Act.

XVII. Provided also, and be it further enacted, That in case any Lessee or Lessees, Farmer or Farmers, or Contractor or Contractors for any Turnpike Tolls, or for Tolls and Penalties for Overweight, on the said Roads mentioned and described in the said First Schedule hereto annexed, whose Lease or Contract is now existing, and will not expire until after the said First Day of *January* One thousand eight hundred and twenty seven, shall by reason of this Act be desirous of being discharged from his, her or their Lease or Leases, or Contract or Contracts, and shall of such his, her or their Desire give Notice in Writing to the Clerk of the said Commissioners on or before the Twenty ninth Day of *September* One thousand eight hundred and twenty six, then and in such Case he, she or they shall, from and after the said First Day of *January* One thousand eight hundred and twenty seven, be released and discharged from such Lease or Leases, Contract or Contracts, and the same shall, from and after the said First Day of *January* One thousand eight hundred and twenty seven, become null and void as to the Residue of the Term or Time then to come and unexpired therein.

Existing Leases of Tolls may be vacated at the Option of the Lessees.

XVIII. Provided also, and be it further enacted, That in case any such Lessee or Lessees, Farmer or Farmers, Contractor or Contractors, shall give such Notice of determining his, her or their Contract as hereinbefore mentioned, then and in every such Case it shall be lawful for the said Commissioners, if they think fit, to make any new Contract or Contracts with such Lessee or Lessees, Farmer or Farmers, Contractor or Contractors, or to cause the said Tolls, or Tolls and Penalties for Overweight, to be relet on a Day and at a Place to be by them appointed, of which One Month's Notice at least shall be given, and thereupon to proceed to relet the same, and to relet the same for the best Price they may then be enabled to obtain for the same, without being

New Contracts may be made with Contractors.

compelled to put up the said Tolls, or Tolls and Penalties for Overweight, at the Sum at which they were last let, or to have any other Meeting for the letting thereof; any Law or Custom to the contrary notwithstanding.

Debts due to
and from Trust-
tees of former
Acts, to be paid
to and by Com-
missioners of
this Act.

XIX. And be it further enacted, That all Persons who on the said First Day of *January* One thousand eight hundred and twenty seven shall owe any Sum or Sums of Money to the Trustees acting in execution of the said several Acts hereby repealed, or any of them, shall pay the same to the Commissioners under this Act instead of such Trustees; and the said Commissioners shall have the same Benefit of all Bonds and Securities, and of all other Remedies for recovering and obtaining Payment of such Sums respectively, as the said Trustees might or could have had in case this Act had not been passed, or as if such Sums of Money had been originally due and owing to the said Commissioners, and their Names had been inserted in such Bonds and Securities instead of the Names of such Trustees; and all Debts which on the said First Day of *January* One thousand eight hundred and twenty seven shall be owing from the said Trustees, and which shall have been *bonâ fide* incurred in the due Execution of the said Acts hereby repealed or any of them, shall be paid by the said Commissioners instead of such Trustees, and such Trustees shall be discharged therefrom.

Right and
Property of
Roads, &c.
vested in the
Commissioners.

XX. And be it further enacted, That the several Roads mentioned and described in the said First Schedule hereto annexed, and the said Bridge over the River *Lea*, and the Piers and Abutments thereof, and the Ground on which the said Piers and Abutments rest, and all Turnpikes, Toll Houses, Furniture belonging to Toll Houses, Gates, Weighing Machines, Carts, Watchboxes, Lamps, Lamp Posts and other Erections and Buildings on the said Roads, which have been erected under the Trusts of the said Acts hereby repealed or of any of them, or of any former Acts for the making or maintaining of the said Roads respectively, or of the said General Turnpike Acts, and all the Estate, Right, Title and Interest of the several Trustees respectively acting in execution of the said several Acts hereby repealed, of and in all Lands, Houses, Quarries and Gravel Pits or other Hereditaments whatsoever, purchased for widening, improving, altering or repairing the said Roads or any of them, and of and in all Estates left in Trust for the Repair of the said Roads or any of them, or charged with any Payments in respect thereof, shall, from and after the said First Day of *January* One thousand eight hundred and twenty seven, be and remain vested in the Commissioners for the Time being acting in execution of this Act; and all Materials, Tools, Barrows and other Things, which on the said First Day of *January* One thousand eight hundred and twenty seven shall belong to the Trustees respectively acting in execution of the said Acts hereby repealed, and shall have been provided for the Use of the said Roads or any of them, shall from thenceforth belong to and be the Property of the said Commissioners; and in any Action, Suit or other Proceeding brought or instituted by or on behalf of the said Commissioners, for or in respect of or in anywise relating to the said Roads, Bridge, Materials or other Estate or Effects, or any other Property, whether Real or Personal, which shall hereafter belong

belong to the said Commissioners, or in any Bill of Indictment preferred by or by the Direction of the said Commissioners against any Person or Persons who shall dig up, break or pull down, steal, take or carry away, spoil, injure or destroy the said Bridge, or any of the said Roads, Lands, Materials or other Estate or Effects, or other Property, as aforesaid, it shall be sufficient to state generally such Bridge, Road or Roads, Land, Materials or other Estate, Effects or Property to be the Property of the Person or Persons in whose Name or Names any such Action, Suit or other Proceeding shall for the Time being be brought or instituted, or of the principal Clerk for the Time being of the said Commissioners.

XXI. And be it further enacted, That on the said First Day of *January* One thousand eight hundred and twenty seven, or as soon thereafter as conveniently may be, the said Commissioners appointed by this Act shall, by themselves or their Officers, or such Person or Persons as they shall appoint for that Purpose, take Possession of all the said Roads mentioned and described in the said First Schedule hereto annexed, and of the said Bridge called *Lea Bridge*, and of all Lands and other Property hereby vested in the said Commissioners; and the said several Trustees respectively acting under the Authority of the said recited Acts shall on the said First Day of *January* One thousand eight hundred and twenty seven, or as soon thereafter as they shall be required so to do by an Order of the said Commissioners, surrender and give up to the said Commissioners or their Officers, or the Person or Persons who may be appointed by the said Commissioners for that Purpose, the Roads for which they shall respectively be Trustees, and the said Bridge called *Lea Bridge*, together with all Lands and other Property hereby vested in the said Commissioners, which shall be then in the Possession of the said Trustees respectively, and the Title Deeds of such Lands and other Property, and all Leases and Counterparts of Leases thereof, and all other Instruments, Books, Papers, Accounts, Vouchers, Writings and all other Matters and Things in the Possession of such Trustees respectively, or of their respective Clerks, Treasurers, Surveyors, Collectors or other Officers, relating to the said Roads respectively; and the said Trustees respectively shall also deliver Accounts to the said Commissioners of all Balances in their Hands, or in the Hands of any Bankers for the Use of the said Roads, and pay over or transfer such Balances to or to the Credit of the said Commissioners; and every Trustee, Clerk, Treasurer, Surveyor, Collector or other Officer to any Trustees, who shall refuse or neglect to surrender or give up to the said Commissioners any Road, Land or other Property, or to deliver an Account of and pay over or transfer any Balance, pursuant to the Directions herein contained, for the Space of One Month after he shall have been required so to do by Order of the said Commissioners, shall, for every such Neglect or Refusal, forfeit and pay a Sum not exceeding Ten Pounds *per Centum* nor less than Five Pounds *per Centum* on the Amount of such Balance, at the Discretion of any Justice or Justices of the Peace before whom Complaint of such Offence shall be made; and the Payment of such Sum shall be without Prejudice to the Right of the said Commissioners, by any Action, Suit or other Proceeding, to enforce the Surrender or Delivery

Commissioners
empowered to
take Possession
of the
Roads, &c.

Delivery up of such Road, Lands or other Property, or the Production of such Account, or the Payment or Transfer of such Balance, as the Case may be.

Commissioners
to repair the
Roads.

XXII. And be it further enacted, That from and after the said First Day of January One thousand eight hundred and twenty seven, the said several Roads mentioned and described in the said First Schedule hereto annexed shall be maintained, amended and repaired, and they or any of them, or any Parts thereof respectively, may be widened, altered or improved by the said Commissioners appointed or to be appointed by or under this Act; and that for the Purpose of maintaining, amending, repairing, widening, altering and improving the said Roads, the said Commissioners shall have and may exercise all the Powers, Privileges and Authorities given by the said General Turnpike Acts, except where Provision to the contrary is made by this Act.

Roads now
maintained un-
der Powers of
repealed Acts
to be con-
sidered as com-
prised in this
Act.

XXIII. Provided always, and be it further enacted, That every Road and Part of a Road which is now maintained and repaired under the Powers and Provisions of the said several Acts hereby repealed, or any or either of them, shall be and the same is hereby declared to be comprised within and subject to the Powers and Provisions of this Act, notwithstanding such Road or Part of a Road may be omitted or improperly described in the said First Schedule hereto annexed; and every such Road shall, to all Intents and Purposes, be deemed and considered to be comprised in that Part of the said First Schedule hereto annexed, in which the other Roads now maintained and repaired under the same Act or Acts are comprized and described.

Certain Part of
a Lane or Way
on the Road
mentioned in
the Seventh
Part of the
First Schedule
to be repaired
by the Com-
missioners.

XXIV. And Whereas it is desirable that the following Provision should be made, as a Substitution for a similar Provision contained in the hereinbefore recited Act of the Nineteenth Year of the Reign of His present Majesty, relating to the Road mentioned and described in the Seventh Part of the said First Schedule hereto annexed; Be it further enacted, That so much of any Lane or Byeway leading into the said last mentioned Road whereon any Turnpike shall be erected or continued under or by virtue of this Act, as shall lie between the said Road and such Turnpike, and for Twenty Yards beyond such Turnpike, shall, during the Time such Turnpike shall be continued thereon (but no longer), be amended and kept in repair by the said Commissioners, out of the Money arising by virtue of this Act.

Power to Com-
missioners to
erect Bridges,
and to repair
and rebuild
Lea Bridge.

XXV. And be it further enacted, That it shall be lawful for the said Commissioners, out of the Monies to be received by virtue of this Act, to erect any Bridges, Culverts or Arches upon the said Roads, or over any Ditches, Drains or Watercourses in or upon or by the Side of the said Roads, where necessary, and from time to time to repair, and, if Occasion shall require, to rebuild the said Bridge called *Lea Bridge*, and all other Bridges, Culverts or Arches now erected or hereafter to be erected on the said Roads, or over any Rivers, Streams, Ditches, Drains or Watercourses, in, upon, across or by the Side of the same.

Lea Bridge
not to be rated,
and to be
deemed in the

XXVI. And be it further enacted, That the said Bridge called *Lea Bridge* shall not, nor shall any future Bridge to be built in lieu thereof under the Powers of this Act, be rated or assessed for or towards the Payment of any public or parochial Rate whatsoever,

ever, nor shall the same be deemed a County Bridge, so as to subject the Counties of *Middlesex* and *Essex*, or either of them, to repair or support the same, but shall be deemed and taken to be situate, lying and being in and to be Part of the said County of *Middlesex*.

County of
Middlesex.

XXVII. And be it further enacted, That no Bridge to be made, erected or built from or after the Commencement of this Act, on or over the said Roads, or either of them, by any public Company, or Companies, or Person or Persons, or by the said Commissioners, shall have a greater Ascent thereto on either Side than One Foot in Twenty Feet more than the general Line or Surface of the Road.

Ascent to
Bridges on the
Roads.

XXVIII. Provided always, and be it further enacted, That in every case where the County of *Middlesex*, or any other County through which any of the said Roads pass, or any Hundred, Parish, Hamlet or Place, or any particular Person or Persons, Body or Bodies Politic or Corporate, or any Lands, Tenements or Hereditaments, is or are chargeable with or towards the repairing the said Roads mentioned and described in the said First Schedule hereto annexed, or any Part thereof, or any Bridges, Causeways, Drains or Sewers upon or in the same, every such County, and the Inhabitants of every such Hundred, Parish, Hamlet and Place, and every such Person or Persons, Body or Bodies Politic or Corporate, and the Owners and Proprietors, Feoffees and Trustees of such Lands, Tenements and Hereditaments, shall (except in the Instances especially excepted or otherwise provided for by this Act) still remain chargeable with or towards the repairing of such Roads, Bridges, Causeways, Drains and Sewers respectively, in such Manner as they would have been in case this Act had not been made; and that all Bodies Politic, Corporate and Collegiate, Corporations Aggregate and Sole, Trustees and other Persons, who by reason of any Act of Parliament, Grant, Deed, Charter, Will or otherwise, are liable to pay or apply any Sum or Sums of Money whatsoever, arising from the Rents of Lands, Tenements or Hereditaments, or the Interest arising from any Monies in the Funds or otherwise, in, for or towards the Repair or Improvement of the said Roads or any of them, shall from time to time account for and pay over such Sum or Sums of Money, Rents and Interests to the said Commissioners, or their Treasurer for the Time being, or as the said Commissioners shall appoint in that Behalf; and the said Commissioners shall apply such Sum or Sums of Money, Rents and Interests, in, for or towards the Repair and Improvement of the said Roads respectively.

Parishes,
Lands, &c. at
present charge-
able to Repair
of Roads to
continue so.

Monies appli-
cable to Repair
of Roads to be
paid to the
Commissioners,
and applied as
such.

XXIX. And Whereas by an Act passed in the Forty fourth Year of the Reign of His late Majesty King George the Third, intituled *An Act for enabling the Keepers and Governors of the Possessions, Revenues and Goods of the Free Grammar School of John Lyon, within the Town of Harrow on the Hill in the County of Middlesex, to pay the Rents and Profits of certain Lands, bequeathed by the said John Lyon for repairing the Road from Harrow on the Hill to London, to the Trustees acting in execution of the several Acts for keeping the said Road in repair* (amongst other Provisions since repealed), certain Provisions were made requiring the said Keepers and Governors to pay over the Re-

44 G.3. c.80.
requiring Pay-
ment of the
Rents of cer-
tain Trust
Estates by the
Governors of
Harrow School
to the Trustees
therein de-
scribed,

mainder

' mainder of the Rents and Profits of the said Lands and Premises
 ' (after Payment of the Expences of passing that Act) to the
 ' Trustees in the said Act mentioned, being the Trustees of the
 ' Roads mentioned and described in the Fifth and Sixth Parts of
 ' the said First Schedule hereto annexed, in the Proportions in
 ' that Act mentioned, and also requiring Accounts of the said
 ' Rents and Profits to be made out by the said Keepers and
 ' Governors, and transmitted to the said Trustees, and also re-
 ' quiring Accounts of the Manner in which such Rents and Profits
 ' should be expended to be made out by the said Trustees, and
 ' transmitted to the said Keepers and Governors: And Whereas
 ' the several Lands and Hereditaments to which the said Act of
 ' the Forty fourth Year of the Reign of His late Majesty relates,
 ' were, by an Indenture bearing Date the Nineteenth Day of
 ' December in the Twenty fifth Year of the Reign of Her late
 ' Majesty Queen *Elizabeth*, and made between *William Sherring-*
 ' *ton* of the First Part, the said *John Lyon* and *Joan* his Wife of
 ' the Second Part, and the said Keepers and Governors of the
 ' Third Part, appropriated upon Trust to apply the whole Profit,
 ' yearly Rent and Commodity thereof, towards and upon repairing
 ' and amending the Highway from the Town of *Harrow upon the*
 ' *Hill* unto the City of *London*: And Whereas certain other
 ' Lands and Hereditaments, under and by virtue of an Indenture
 ' of Bargain and Sale inrolled in Chancery, bearing Date the Sixth
 ' Day of *July* in the Twenty first Year of the Reign of Queen
 ' *Elizabeth* and made between Sir *Gilbert Gerrard* and *William*
 ' *Gerrard* of the First Part, the said *John Lyon* and *Joan* his
 ' Wife of the Second Part, and the said Keepers and Governors
 ' of the Third Part, are now vested in the said Keepers and Go-
 ' vernors, upon Trust to bestow and employ the Profits, yearly
 ' Rent and Commodity thereof, towards and upon repairing and
 ' amending the common Highway from the Town of *Edgeware* in
 ' the County of *Middlesex* to the City of *London*, and to bestow
 ' and employ the Residue and Surplusage, if any, of the same
 ' Profits, yearly Rent and Commodity, towards and upon repairing
 ' and amending the said Highway between *Harrow* and *London*:
 ' And Whereas the said Road from the Town of *Harrow upon the*
 ' *Hill* to *London* (except a small Part thereof between the *Red*
 ' *Lion Inn* at *Paddington* and the first Carriage Bridge over the
 ' Grand Junction Canal, which is repaired by the Parish of *Pad-*
 ' *dington*;) is comprized in the Roads mentioned and described
 ' in the Fifth and Sixth Parts of the said First Schedule hereto
 ' annexed; and the said Road from the Town of *Edgeware* to
 ' *London* is comprized in the Roads mentioned and described in
 ' the Fifth and Seventh Parts of the said First Schedule hereto
 ' annexed: And Whereas it is proper that the Rents and Profits
 ' of the said Trust Estates should not be applied generally in the
 ' Repair and Improvement of all the Roads mentioned and de-
 ' scribed in the said First Schedule hereto annexed, but only of
 ' the said Roads mentioned and described in the Fifth, Sixth and
 ' Seventh Parts of the said First Schedule respectively, allowing a
 ' small Proportion of the Rents and Profits of the said Trust
 ' Estates, given for the Repair and Improvement of the Road
 ' from *Harrow* to *London*, to the Parish of *Paddington*, towards
 ' the

' the Repair and Improvement of so much of the said Road as is
 ' repaired by them : And Whereas, in order to insure and protect
 ' the exclusive Application of the Rents and Profits of the said
 ' Trust Estates to the Repair and Improvement of the said Roads
 ' mentioned and described in the said Fifth, Sixth and Seventh
 ' Parts of the said First Schedule respectively as aforesaid, it will
 ' be necessary that distinct Accounts should be kept of the In-
 ' come of and Expenditure on those Roads respectively : And
 ' Whereas the several Acts hereinbefore recited for the Mainte-
 ' nance and Repair of the said Roads mentioned and described in
 ' the said Fifth and Sixth Parts of the said First Schedule hereto
 ' annexed, being hereby repealed, it will be necessary to repeal
 ' all the said remaining Provisions of the said Act of the Forty
 ' fourth Year of the Reign of His late Majesty ; Be it therefore
 further enacted, That from and after the said First Day of *January*
 One thousand eight hundred and twenty seven, the said last men-
 tioned Act of the Forty fourth Year of the Reign of His late Ma-
 jesty King *George* the Third, and every Clause and Provision there-
 in contained, shall be and the same is hereby repealed.

repealed.

Rents and Pro-
 fits of the
 Trust Estates
 to be accounted
 for and paid to
 the Commis-
 sioners under
 this Act.

XXX. And be it further enacted, That from and after the said
 First Day of *January* One thousand eight hundred and twenty
 seven, the clear yearly Rents and Profits of the said Lands and
 Hereditaments vested in the said Keepers and Governors, in Trust
 as aforesaid, after paying thereout the Expences of the said Keep-
 ers and Governors in and about the managing and letting the said
 Lands and Hereditaments, and collecting the Rents and Profits
 thereof, shall from time to time, annually, up to the Twenty fifth
 Day of *March* in each Year, be paid over by the said Keepers and
 Governors into the Bank of *England*, to the Credit of the Commis-
 sioners acting under this Act, who shall pay over One equal Seven-
 teenth Part of so much of the said clear yearly Rents and Profits as
 shall have arisen from the Lands and Hereditaments conveyed by
 the said Indenture of the Nineteenth Day of *December* in the
 Twenty fifth Year of the Reign of Queen *Elizabeth*, to the Vestry
 of the Parish of *Paddington*, or as they shall direct, to be by them
 applied in or towards the repairing, improving, watching, watering
 and lighting of so much of the Road from *London* to *Harrow* as
 lies between the *Red Lion Inn* at *Paddington* and the First Car-
 riage Bridge over the Grand Junction Canal, and shall apply, dis-
 burse and expend the remaining Sixteen Seventeenth Parts of the
 said last mentioned clear Rents and Profits, pursuant to the Pro-
 visions of this Act, in repairing, improving, watching, watering and
 lighting the Roads mentioned and described in the Fifth and Sixth
 Parts of the said First Schedule hereto annexed, and in such Pro-
 portion between the Roads in the said Two Parts of the said First
 Schedule as the said Commissioners shall from time to time in their
 Discretion think proper ; and shall apply so much of the clear
 yearly Rents and Profits as shall have arisen from the Lands and
 Hereditaments conveyed by the said Indenture of the Sixth Day
 of *July* in the Twenty first Year of the Reign of Queen *Elizabeth*,
 pursuant to the Provisions of this Act, in the first Place, in repair-
 ing, improving, watching, watering and lighting the Roads men-
 tioned and described in the Fifth and Seventh Parts of the said
 First Schedule hereto annexed (and in such Proportions between
 the

the Roads in the Two last mentioned Parts of the said First Schedule as the said Commissioners shall from time to time in their Discretion think proper), and subject thereto in repairing, improving, watching, watering and lighting the Road mentioned and described in the Sixth Part of the said First Schedule hereto annexed.

Accounts of such Rents and Profits to be made up annually, and transmitted to the Commissioners, &c.

XXXI. And be it further enacted, That from and after the said First Day of *January* One thousand eight hundred and twenty seven, Accounts of the Rents and Profits of the said Lands and Premises so vested in the said Keepers and Governors as aforesaid, and in what Manner any Part thereof by them lawfully applied shall have been so applied, shall be annually made up by the said Keepers and Governors to the Twenty fifth Day of *March* in every Year; and such Accounts shall, within Four Calendar Months next after the Twenty fifth Day of *March* in every Year, be transmitted by them to the Clerk for the Time being of the said Commissioners, or to such other Person as the said Commissioners shall appoint for that Purpose, and shall be by him laid before the Commissioners at their next Meeting; and the said Keepers and Governors shall in such Accounts distinguish the Rents and Profits of the Lands and Hereditaments conveyed by the said Indenture of the Ninetenth Day of *December* in the Twenty fifth Year of the Reign of Queen *Elizabeth*, and any Application thereof, from the Rents and Profits of the Lands and Hereditaments conveyed by the said Indenture of the Sixth Day of *July* in the Twenty first Year of the Reign of Queen *Elizabeth*, and any Application thereof.

Distinct Accounts to be kept of certain Roads.

XXXII. And be it further enacted, That the said Commissioners shall cause a distinct Account to be kept of their Income from or in respect of the Roads mentioned and described in the said Fifth Part of the said First Schedule hereto annexed, whether arising from the aforesaid Trust Estates or any other Trust Estates, or from the Tolls collected thereon, or the Rates levied for watching, watering or lighting the same under the several Powers and Provisions hereinafter contained, or in any other Manner whatsoever; a like distinct Account of their Income from or in respect of the Roads mentioned and described in the Sixth Part of the said First Schedule; and a like distinct Account of their Income from or in respect of the Roads mentioned and described in the Seventh Part of the said First Schedule; and the Income of the said Commissioners from or in respect of the Roads in each of the said Three last mentioned Parts of the said First Schedule shall be exclusively applied in defraying the Expence of repairing and improving, and of watching, watering and lighting the same Roads respectively, (including as a Part of such Expence such Proportion as in the Judgment of the said Commissioners such Road or Roads ought to bear of the Expences of the said Commissioners in Salaries to Officers, and other Expences generally incurred on account of all the Roads mentioned and described in the said First Schedule,) and not for the general Purposes of this Act; and the said Commissioners shall not apply any Monies received by them under the Powers and Provisions of this Act, in repairing, improving, watching, watering or lighting the Roads mentioned and described in either of the said Three last mentioned Parts of the said First Schedule, except their particular Income from or in respect of such

such Roads, it being hereby intended that the Income and Expenditure of the Roads in each of the said Three last mentioned Parts of the said First Schedule shall be entirely distinct, as well from that of the Roads in the other Two of the said last mentioned Parts of the said First Schedule, as also from that of all the other Roads mentioned and described in the said First Schedule; and the said Commissioners, in exercising the Power which is herein after given them, of reducing and advancing the Tolls specified in the Second Schedule hereto annexed, shall, so far as regards the Roads in the said Three last mentioned Parts of the said First Schedule, be guided by the Amount of the Income as compared with that of the Expenditure of such Roads respectively.

XXXIII. And be it further enacted, That after the said First Day of *January* One thousand eight hundred and twenty seven, the said Commissioners shall, within Two Calendar Months next after the Twenty fifth Day of *March* in each Year, transmit unto the said Keepers and Governors, a particular Account up to the said Twenty fifth Day of *March*, of all the Receipts and the Expenditure of the said Commissioners during the elapsed Year ending on such Twenty fifth Day of *March*, for or in respect of the respective Roads in the Fifth, Sixth and Seventh Parts of the said First Schedule hereto annexed.

XXXIV. Provided always, and be it further enacted, That in case there shall be any Surplus of the Rents and Profits of the Lands and Hereditaments by the said *John Lyon* caused to be conveyed to the Keepers and Governors of the Possessions, Revenues and Goods of the Free Grammar School of *John Lyon*, within the Town of *Harrow on the Hill*, as hereinbefore is mentioned, after the Purposes for which the same are respectively hereinbefore directed to be applied shall have been fully accomplished and satisfied, nothing herein contained shall in any Manner prejudice or affect the Application of such Surplus Rents and Profits, but the same shall be applied in the same Manner and upon the same Principle as they would have been in case this Act had not been passed.

XXXV. And be it further enacted, That the said Commissioners may and they are hereby authorized and empowered, when and as often as they shall think fit and necessary, to direct Indictments to be preferred and prosecuted, at the Expence of the Revenues arising by virtue of this Act, against the Inhabitants of all or any of the Towns, Parishes or Places through which any Road mentioned and described in the said First Schedule hereto annexed passes, and against the County, Hundred and all other Bodies Politic and Corporate, and all other Person or Persons whomsoever liable to repair Bridges, who shall have neglected or refused respectively to repair the same.

XXXVI. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners to compound and agree with the said County of *Middlesex*, or any other County, or the Inhabitants of any Hundred, Parish, Hamlet or Place, or any particular Persons, Bodies Politic or Corporate, or the Owners and Proprietors, Feoffees or Trustees of any Lands, Tenements or Hereditaments as aforesaid, which are or hereafter may be chargeable with or towards the repairing of any of the said Roads, Bridges,

Commissioners
to transmit
Accounts to
Keepers and
Governors.

This Act not
to affect Ap-
plication of
Surplus arising
from Trust
Estates after
satisfying the
Purposes here-
in provided for.

Indictments
against
Parishes, &c.
liable to Re-
pair of Bridges,
in case of Ne-
glect, &c.

Commissioners
may compound
with Inhabit-
ants, &c.
liable to Re-
pair of Roads.

Bridges, Causeways, Drains or Sewers, for the Payment, in such Manner as the said Commissioners shall think proper, of a certain Sum of Money, by the Year or otherwise, in lieu of such Repairs; and the said County of *Middlesex*, or other County, and such respective Inhabitants, Persons, Bodies Politic and Corporate, Owners, Proprietors, Feoffees and Trustees, shall be discharged from such Repairs during the respective Times for which such Compositions shall be paid: Provided always, and it is hereby declared, that the Powers and Provisions herein contained in respect to Counties, Bodies Politic and Corporate, and Persons chargeable with Repair of the said Roads, and in respect to Compositions with them, shall be in Addition to, and not in Substitution or Abridgment of the Powers and Provisions of the said General Turnpike Acts, except so far as they are incompatible with one another.

Amount of
Composition
for the Parishes
of St. Giles
Cripplegate,
St. Luke and
St. Leonard
Shoreditch, in
lieu of Statute
Work on the
Roads in
Eleventh Part
of the First
Schedule.

XXXVII. Provided also, and be it further enacted, That from and after the said First Day of *January* One thousand eight hundred and twenty seven, the Parishes of *Saint Giles Cripplegate* and *Saint Luke* in the County of *Middlesex*, shall pay yearly to the said Commissioners acting under this Act the Sum of Sixty one Pounds, and the Parish of *Saint Leonard Shoreditch* in the same County the Sum of Fifty one Pounds, in lieu and satisfaction of all the Statute Labour to be performed by the Inhabitants of the said Parishes respectively on any Part of the Roads mentioned and described in the Eleventh Part of the said First Schedule hereto annexed; the said Sums of Sixty one Pounds and Fifty one Pounds to be respectively paid by the Churchwarden or Churchwardens for the Time being of the said Parish of *Saint Giles Cripplegate*, and the respective Treasurers for the Time being of the Four Rates collected or to be collected in the respective Parishes of *Saint Luke* and *Saint Leonard Shoreditch*, and to be paid by Two equal Half yearly Payments on the First Day of *January* and the First Day of *July* in each Year, and the First of the said Half yearly Payments to be made on the said First Day of *January* One thousand eight hundred and twenty seven; and if such Churchwarden or Churchwardens or Treasurers for the Time being respectively shall neglect or refuse to pay the said Composition Monies or any Part thereof as aforesaid to the said Commissioners or their Treasurer, or such Person as they shall appoint to receive the same, for the Space of Twenty one Days after the same shall be due and demanded, he or they shall forfeit the Sum of Twenty Pounds, to be paid to the said Commissioners or their Treasurer, or such Person as they shall appoint to receive the same, for the Use of the said Roads, for every such Default, over and above the said Composition Money.

Commissioners
empowered to
lessen Compo-
sition Money
paid by
Parishes.

XXXVIII. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners from time to time to lessen and reduce the said several yearly Sums of Money directed to be paid by the said several Parishes of *Saint Giles Cripplegate*, *Saint Luke* and *Saint Leonard Shoreditch*, in lieu of Statute Work on the Roads mentioned and described in the said Eleventh Part of the said First Schedule hereto annexed, in such Manner and Proportions and at such Times as they the said Commissioners shall think fit; and also from time to time to raise and increase the same again as they the said Commissioners shall think proper, so

as the said Payments so varied do not exceed the Sums of Money hereby directed to be respectively paid by the said Parishes.

XXXIX. Provided always, and be it further enacted, That from and after the said First Day of *January* One thousand eight hundred and twenty seven, it shall be lawful for the Inhabitants of the Parish of *Ealing* in the said County of *Middlesex*, or their Trustees, if they shall think proper so to do, to pay to the said Commissioners, or their Treasurer for the Time being, or such other Person as shall be appointed by them for that Purpose, the annual Sum of Twelve Pounds in every Year, on the First Day of *January* One thousand eight hundred and twenty seven, in lieu of any Statute Work on such Parts of the Roads mentioned and described in the Fourth Part of the said First Schedule hereto annexed, as lie within the said Parish of *Ealing*; and every such Sum of Twelve Pounds shall be in full Satisfaction for the Statute Work to be done by the said Inhabitants or Trustees, on such Parts of the said last mentioned Roads as aforesaid, for the Year next ensuing, and to be computed from the Day on which such Sum shall have been paid.

Composition for the Parish of *Ealing* in lieu of Statute Work on Roads in Fourth Part of First Schedule.

XL. Provided also, and be it further enacted, That the said Inhabitants of the Parish of *Ealing*, and their Trustees, shall be exempt and discharged from the performing of any Statute Work upon such Parts of the Roads mentioned and described in the Second and Third Parts of the said First Schedule hereto annexed, as lie within the said Parish, in consideration of, their lighting the Street in *Old Brentford*, Part of the said Roads, in the Night-time, from the First Day of *October* in every Year to the First Day of *March* in the succeeding Year.

Consideration for which Inhabitants of *Ealing* exempted from Statute Work.

XLI. Provided also, and be it further enacted, That no Inhabitant of any Parish, Hamlet or Place, through which the said Roads mentioned and described in the said Fifth Part of the said First Schedule hereto annexed lead, shall be liable or compellable to do Statute Work upon any Part thereof.

Districts exempted from Statute Work.

XLII. And Whereas by the hereinbefore recited Act of the Sixth Year of the Reign of His present Majesty, the Two severally hereinbefore recited Acts of this present Session of Parliament, the Two severally hereinbefore recited Acts of the First and Second Years of the Reign of His present Majesty, and the hereinbefore recited Act of the Fifth Year of the Reign of His present Majesty, relating respectively to the Roads mentioned and described in the First, Fourth, Sixth, Eighth, Twelfth and Fourteenth Parts of the said First Schedule hereto annexed, certain Powers were given to the Trustees acting in execution of the said Acts respectively, of making the new Lines of Road and other Improvements and Alterations, and of building the Bridges in the said Acts respectively described, and for those Purposes of purchasing certain Houses and other Hereditaments described in the said Acts respectively, or in the Schedule thereto annexed, being the same Houses and Hereditaments as are described in the Third Schedule hereto annexed: And Whereas by the said last mentioned Acts of this present Session, and of the First and Second Years and of the Fifth Year of the Reign of His present Majesty, after reciting that Maps or Plans, describing the new Lines of Road, Alterations and Improvements of the said Acts

‘ respectively intended to be made, and the Lands and Premises through which the same were to pass, together with Books of Reference, containing Lists of the Owners or reputed Owners and Occupiers of such Lands and Premises, had been deposited with the Clerk of the Peace for the County of *Middlesex*, or to that Effect, it is enacted, that the said Maps or Plans and Books of Reference should remain in the Custody of the Clerk of the Peace for the said County, for the Purposes in the said respective Acts mentioned, being the same Purposes, or nearly so, as are hereinafter mentioned : And Whereas it is desirable that the Commissioners appointed and to be appointed by or under this Act should have the same Powers of making the said new Lines of Road and other Improvements and Alterations, and of building the said Bridges in the aforesaid Acts respectively described, and for those Purposes of purchasing the said Houses and other Hereditaments described in the said Third Schedule hereto annexed, as by the aforesaid Acts are given to the Trustees acting in execution of the said Acts respectively ; and it is also desirable that the said Maps, Plans and Books of Reference should, notwithstanding the Repeal of the said Acts, remain in the Custody of the Clerk of the Peace for the said County of *Middlesex*, for the Purposes hereinafter mentioned ;’ Be it therefore enacted, That the said Maps, Plans and Books of Reference shall remain in the Custody of the Clerk of the Peace for the County of *Middlesex*, to the End that all Persons may, at any reasonable Times, have Liberty to inspect and peruse the same, and to take Copies of or Extracts from the same, at their Will and Pleasure, paying to the Clerk of the Peace in whose Custody such Maps, Plans and Books of Reference shall be, the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every Seventy two Words of such Copies or Extracts.

XLIII. And be it further enacted, That it shall be lawful for the said Commissioners acting under this Act to purchase, acquire and take down, for the Purpose of widening, turning or diverting the Roads mentioned and described in the First Part of the said First Schedule hereto annexed, and the Footpaths adjoining the same, all or any of the Houses, Lands and Hereditaments mentioned and described in the First Part of the said Third Schedule hereto annexed.

XLIV. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to set out and make the Road mentioned and described in the Fourth Part of the said First Schedule hereto annexed, leading from *Shepherd's Bush Common* to the Great Western Road near *Turnham Green*, in such manner as to them shall seem right and proper ; and for that Purpose to purchase, take and use any Houses, Gardens, Grounds, Buildings, Lands or other Hereditaments, first making Satisfaction to the Owners and Proprietors thereof.

XLV. Provided always, and be it further enacted, That the Powers and Authorities hereby given to the said Commissioners shall not extend to the purchasing, taking down or using of any Dwelling House or other Building, or the Site of any House or other Building, or any Garden, Orchard, Yard, Court, Park, Paddock,

Maps and Books of Reference as to Houses to be pulled down for improving the Roads to remain in the Custody of the Clerk of the Peace for the County of *Middlesex*.

Power to take down Houses, &c. mentioned in First Part of Third Schedule.

Road from Shepherd's Bush Common to the Great Western Road.

Commissioners not to take or pull down Houses, &c. without Consent, except as

dock, inclosed Shrubbery, planted Walk or Avenue to a House, for the Purpose of setting out and making the said last mentioned Road, without the Consent in Writing of the Owners and Proprietors thereof respectively; save and except the several Hereditaments and Premises mentioned and described in the Second Part of the said Third Schedule hereto annexed.

XLVI. Provided also, and be it further enacted, That the said Commissioners, in setting out and making the said last mentioned Road, shall not deviate more than One hundred Yards from the Line laid down in the Map or Plan describing the said Road, and deposited with the Clerk of the Peace for the County of *Middlesex*, as hereinbefore is mentioned, without the Consent in Writing first had and obtained of the Person or Persons, Body or Bodies Politic, Corporate or Collegiate, through whose Lands or Premises such Deviation shall be made.

XLVII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to make a Deviation in the Road from *Paddington* to *Harrow on the Hill*, mentioned and described in the Sixth Part of the said First Schedule hereto annexed, such Deviation to commence at or near the *Swan* Public House on *Sudbury Common*, in the Parish of *Harrow on the Hill*, and to extend in an Eastern Direction into the present Road at or near *Water Lane*, in the said Parish of *Harrow on the Hill*, and from thence in a South eastern Direction across the River *Brent*, into the said Road again at or near *Harlesden* Cottages, in the Parish of *Willesden*; and also to make and maintain as Turnpike Road a Continuation of the present Road from or near to *Stone Bridge*, in a direct Line to the said new Line of Road; and also to make an Highway from the South End of *Wembley Lane*, across the present Road, in a direct Line to the said new Line of Road; and also One other Highway from the said new Line of Road on the Western Side of the River *Brent*, to the North Side of the present Road at or near the *Oakington Gate*; and also to make and maintain the Branch Road in the said Sixth Part of the said First Schedule also mentioned and described, from *Chelsea Reach* to the Road from *Saint Giles's Pound* to *Kilbourn Bridge*; and also, by Contract or otherwise, to build good substantial Bridges over the River *Brent* and other Streams of Water on the same Lines of Road, proper for the Passage of Carriages, Horses, Cattle and Foot Passengers, and of such Form, Construction and Dimensions as the said Commissioners shall think proper, with proper Causeways on each Side, and to cause any Shelves or Obstructions in the said River or Streams to be removed, and all Beds of Gravel, Sand, Mud or other Impediment, to be taken away, and the Banks of the said Rivers or Streams to be dug and cut to the Extent of One hundred Yards on each Side thereof, in such Manner as they shall judge necessary and proper for building, supporting and maintaining the said Bridges: And for the Purposes aforesaid, it shall be lawful for the said Commissioners, their Surveyors and Workmen, with or without Carriages and Cattle, from time to time to enter upon, purchase, take and use the Lands and Premises through which or whereupon the said Roads hereinbefore described, and hereby authorized to be made and kept in repair, or

herein mentioned.

Commissioners not to deviate more than 100 Yards from the Line laid down on the Plan, &c. without Consent.

Commissioners may make Alterations in the Harrow Road;

and erect Bridges over River Brent, and other Streams.

May enter Lands, make Drains, &c.

any Alteration thereof, pass, or is or are intended to pass, and also any adjoining Lands or Grounds, and to stake out the Road or Alteration, and to make Drains or Ditches through or into any Lands or Grounds adjoining or lying contiguous to any Part thereof, and to make a temporary Way or Ways through or over any adjoining Lands or Grounds, (not being a Garden, Yard, Park, Paddock, planted Walk or Avenue to a House, or inclosed Ground planted and set apart as a Nursery for Trees,) to be made use of as a public Highway whilst the narrow or ruinous Part of the said Roads are being widened or altered, and until the said Roads shall be made safe and convenient for the Passage of Travellers and Carriages, in such Manner as the said Commissioners shall think necessary or proper, first making Satisfaction to the Owners and Occupiers of such Lands and Grounds for the Damages that shall be thereby occasioned.

‘ XLVIII. And Whereas the said several new Roads or Deviations of Road and Communications intended to be made as lastly hereinbefore is mentioned, by virtue of this Act, will, when the same are completed, render useless the several Pieces hereinafter particularly described of the said present Road from *Paddington to Harrow on the Hill*; (that is to say,) the Road between the Public House at *Stone Bridge* and the Commencement of the new Line of Road at or near the *Swan* Public House on *Sudbury Common*, and also the Two Bridges over the River *Brent*, called *Stone Bridge* and *Old Bridge*;’ Be it therefore enacted, That from and immediately after the said Roads and Communications intended to be made by virtue of this Act, as lastly hereinbefore is mentioned, shall be made and completed, it shall and may be lawful for the said Commissioners to stop up the several Pieces of old Road hereinbefore mentioned, and to take down and remove the said Bridges, and all Obstructions in the said River *Brent* adjoining or near thereto.

Certain Roads to be discontinued when new Roads made.

Power to make Alterations described in the Map deposited under 1 & 2 G. 4, c. 110, relating to Roads in Eighth Part of First Schedule.

‘ XLIX. And be it further enacted, That it shall be lawful for the said Commissioners to make the Alterations and Improvements in the Roads mentioned and described in the Eighth Part of the said First Schedule hereto annexed, which are described in the Map or Plan which by the said Act of the First and Second Years of the Reign of His present Majesty, relating to the said Roads, is recited to have been deposited in the Office of the Clerk of the Peace for the County of *Middlesex*, or such of the said Alterations and Improvements as have not been already completed under the Powers of the said last mentioned Act; but in making such Alterations and Improvements the said Commissioners shall not deviate more than One hundred Yards from the Line described in the said last mentioned Map or Plan, without the Consent in Writing first had and obtained of the Person or Persons, Body or Bodies Politic, Corporate or Collegiate, through whose Lands or Grounds such Deviation shall be made.

Commissioners may take down Houses, &c. in Third Part of Third Schedule.

‘ L. And be it further enacted, That it shall be lawful for the said Commissioners from time to time, as they shall think proper, to widen and improve the Road mentioned and described in the said Eighth Part of the said First Schedule, leading from *Islington Green* through the High Street in the Parish of *Saint Mary Islington*, and for that Purpose to purchase, acquire and take down

down the Houses, Buildings and Hereditaments situate on the North Side of the said Street, and which are particularly specified in the Third Part of the said Third Schedule hereto annexed, or such of them, or such Part thereof, as the said Commissioners shall think expedient.

LI. And be it further enacted, That it shall be lawful for the said Commissioners to widen certain narrow Parts of the Roads mentioned and described in the Twelfth Part of the said First Schedule hereto annexed, at *Church Street* in the Parish of *Hackney*, and near *Shoreditch Church* in the County of *Middlesex*, and for that Purpose to purchase, acquire, take down and use the Houses, Buildings, Lands and Hereditaments particularized in the Fourth Part of the said Third Schedule hereto annexed, and delineated and described in the Plan and Books of Reference which by the said Act of the First and Second Years of His present Majesty, relating to the said Roads, is recited to have been deposited with the Clerk of the Peace for the County of *Middlesex*, or such of the said Houses, Buildings, Lands and Hereditaments as the said Commissioners shall think proper.

Houses, &c. in Fourth Part of the Third Schedule may be taken down.

LII. And be it further enacted, That it shall be lawful for the said Commissioners to set out, make and complete, so far as the same is not already done, the said new Line of Road mentioned and described in the said Fourteenth Part of the said First Schedule hereto annexed, through, across or over the several Lands, Hereditaments and Premises, through, across or over which the same is set out and described as passing in the Map or Plan which by the said recited Act of the Fifth Year of the Reign of His present Majesty, relating to the said Road, is stated to have been deposited with the Clerk of the Peace for the County of *Middlesex*.

Power to make and complete the Road described in the Fourteenth Part of First Schedule.

LIII. Provided always, and be it further enacted, That the said Commissioners shall not, in making the said new Line of Road, take or pull down, injure or damage any Dwelling House or other Building, or take in or use any Orchard, Garden, Yard, Park, Paddock, planted Walk or Avenue to a House, or any inclosed Ground planted or set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof, except those specified in the Fifth Part of the said Third Schedule hereto annexed.

Houses not to be injured for making the said new Road.

Exception.

LIV. Provided always, and be it further enacted, That if any or either of the Houses, Buildings, Lands, Tenements or Hereditaments which the said Commissioners are hereby authorized to purchase, acquire, take down or otherwise affect, or to make any of the said Roads over, through or across, or the Owner or Owners or Proprietor or Proprietors thereof, or the Person or Persons in whose Possession or Occupation the same or any Part thereof are or is, shall happen to be misnamed or inaccurately described, either in the Maps, Plans or Books of Reference so deposited as hereinbefore is mentioned, or in the said Third Schedule hereto annexed, such Misnomer or inaccurate Description shall not prevent or retard the said Commissioners in the Execution of this Act, or affect the Powers hereby given them, but the same Premises and every Part thereof shall and may be purchased or acquired, taken down or otherwise affected, or the said Roads made

Misnomer or inaccurate Description not to prevent Right of purchasing Houses, &c.

over, through or across them, in the same Manner, and as fully and effectually to all Intents and Purposes, as if the same were properly and accurately named and described in the said Maps, Plans, Books of Reference and Third Schedule, any Thing herein contained to the contrary notwithstanding; provided it shall be made appear to the Satisfaction of any Two or more Justices of the Peace for the County of *Middlesex*, and be by them certified under their Hands, that such Misnomer or inaccurate Description proceeded from Mistake.

Houses, &c. to
be purchased
within Four
Years.

LV. Provided always, and be it further enacted, That in case the said Commissioners shall not purchase the Houses, Buildings and other Premises which they are hereby empowered to purchase, within the Space of Four Years from the passing of this Act, then and in such Case it shall not be lawful for the said Commissioners to purchase any of the said Houses, Buildings or other Premises, so remaining unpurchased, without the Consent in Writing of the Owner thereof first had and obtained.

For purchasing
Lands to lodge
Materials, &c.

‘ LVI. And for providing proper Places whereupon the Materials used for the Repairs of the said Roads may be deposited, and whereupon the Ground, Earth, Stones and other Matters and Things which it may be necessary to dig and remove, in the widening, turning, altering, diverting or repairing the said Roads, or any Part thereof, or any worn Materials, may be laid;’ Be it also enacted, That it shall be lawful for the said Commissioners to purchase or rent, with the Consent of the Owners or Proprietors and Occupiers of the same, and Persons interested therein, any Lands or Hereditaments adjoining to the said Roads, or any Part thereof, which they shall think necessary for any of the said Purposes, such Parcels of Land to be so purchased or rented not exceeding in any one Place Half an Acre, nor in the whole Seven Acres; and it shall also be lawful for the said Commissioners to cause any such Materials, Ground, Earth, Stones or other Matters or Things to be deposited, laid or placed upon any Common or Waste Ground on the Side or Sides of the said Roads.

Green Yards.

LVII. And be it further enacted, That it shall be lawful to and for the said Commissioners to purchase, or rent upon Lease, in such Situations as they shall think convenient, any Houses, Warehouses, Yards or other Places, to be called Green Yards, for the Reception, Deposit and safe Custody of any Articles seized and removed by virtue of this Act or of the said General Turnpike Acts, or of any Horses, Beasts, Cattle or other Animals, or any other Thing which shall be in or about any of the said Roads, and which by this Act may be impounded, and may appoint any Persons to take care of and superintend such Green Yards, and allow them such Salaries as they shall think proper.

Powers and
Provisions of
the General
Turnpike Acts
extended to
Purchases of
Houses, &c.
under this Act.

LVIII. Provided always, and be it further enacted, That the several Clauses, Powers and Provisions in the said General Turnpike Acts contained, with respect to the purchasing or otherwise acquiring of and making Satisfaction for Injury or Damage to the Lands, Tenements and Hereditaments by the said Acts authorized to be purchased, acquired, used or in any Manner affected by the Trustees or Commissioners of any Turnpike Road, shall (except as the same are expressly altered, varied or repealed by this Act,) equally apply to the purchasing or otherwise acquiring
by

by the said Commissioners under the Powers of this Act, and the making Satisfaction for Injury or Damage to the Houses, Buildings, Lands, Tenements and Hereditaments which are by this Act authorized to be purchased, acquired, taken down, used or otherwise in any Manner affected by the said Commissioners hereby appointed, or their Successors, in the same Manner, or as nearly so as Circumstances will admit, as they would if the same were so purchased, acquired, taken down, used or otherwise affected by the said Commissioners under the Powers and Provisions of the said General Turnpike Acts, with respect to the purchasing and making Satisfaction for Lands, Tenements and Hereditaments, for the widening, improving or altering of Roads.

LIX. Provided always, and be it further enacted, in lieu of the Provisions in that respect contained in the said General Turnpike Acts, That if any Money shall be contracted or awarded to be paid for or in respect of any Houses, Lands, Tenements or Hereditaments purchased, taken or used under the Powers of this Act, for the Purposes thereof, which shall belong to any Body Politic, Corporate, Collegiate or Ecclesiastical, Tenant for Life or in Fee Tail or for Years, Trustee, Feme Covert, Infant, Lunatic or Person or Persons under any Disability or Incapacity as aforesaid, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of England, in the Name and with the Privy of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* the Commissioners acting under this Act, pursuant to the Method prescribed by an Act made in the First Year of the Reign of His present Majesty, intituled *An Act for the better securing the Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, and shall, when so paid in, be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Houses, Lands, Tenements or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof, as the said Court shall authorize to be paid, affecting the said Houses, Lands, Tenements or Hereditaments, or affecting other Lands, Tenements or Hereditaments standing and being settled therewith, to the same or the like Uses, Intents or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Houses, Lands, Tenements or Hereditaments, which shall be conveyed and settled to, for and upon such and the like Uses, Trusts, Intents and Purposes, and in the same Manner, as the Lands, Tenements and Hereditaments which shall be purchased, taken or used for the Purposes of this Act stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in

Application of
Purchase
Money
amounting to
900*l.* and up-
wards.

1 G. 4. c. 35.

the Meantime, and until such Purchase shall be made, the said Money shall, by Order of the Court, upon Application made thereto as aforesaid, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the Meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the Consolidated or Reduced Bank Annuities shall from time to time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements and Hereditaments so hereby directed to be purchased, in case such Purchase and Settlement thereof were then actually made.

When less than
200*l.* and ex-
ceeding 20*l.*

LX. Provided always, and be it further enacted, That if any Money so to be paid for or in respect of any Houses, Lands, Tenements or Hereditaments, to be purchased, taken or used for the Purposes aforesaid, and belonging to any Body Politic, Corporate, Collegiate or Ecclesiastical, Tenant for Life or in Tail or for Years, Trustee, Feme Covert, Infant, Lunatic or any Person or Persons under Disability or Incapacity as aforesaid, shall be less than Two hundred Pounds, and shall exceed Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments so purchased, taken or used, or of his, her or their Guardian or Guardians, Committee or Committees, in Cases of Infancy, Idiotcy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner hereinbefore directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be named by the Person or Persons making such Option, and approved of by Three or more of the said Commissioners acting under this Act, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money, and the Dividends to arise thereon, or the Interest thereof, may be applied in manner hereinbefore directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

When not ex-
ceeding 20*l.*

LXI. Provided always, and be it further enacted, That where such Money so contracted and agreed to be paid as last before mentioned shall not exceed Twenty Pounds, then and in all such Cases the same shall belong absolutely and be paid to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Houses, Lands, Tenements, or Hereditaments so to be purchased, taken or used for the Purposes of this Act, in such Manner as the said Commissioners shall think fit; or in Cases of Infancy, Idiotcy or Lunacy, then to his, her or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not
making out

LXII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded or assessed

assessed for any Houses, Lands, Tenements or Hereditaments to be so purchased, used or taken under this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Commissioners; or in case the Person or Persons to whom such Sum or Sums of Money shall be awarded or assessed as aforesaid cannot be found, or if the Person or Persons entitled to such Houses, Lands, Tenements or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Commissioners to order the said Sum or Sums of Money, so awarded or assessed as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Houses, Lands, Tenements or Hereditaments (describing them), subject to the Order, Controul and Disposition of the said Court of Exchequer; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money (mentioning and specifying for what and for whose Use the same is or are received) to such Person or Persons as shall pay any Sum or Sums of Money into the Bank as aforesaid.

LXIII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privy of the Accountant General of the Court of Exchequer, in pursuance of this Act, for or in respect of any Houses, Lands, Tenements or Hereditaments, or of any Estate, Right or Interest in any Lands, Tenements or Hereditaments to be purchased, taken or used under the Powers of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Houses, Lands, Tenements or Hereditaments at the Time of such Purchase, taking or using thereof, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Houses, Lands, Tenements or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Houses, Lands, Tenements or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer.

Titles, or Persons entitled not being found, the Money to be paid into the Bank.

Persons in Possession to be deemed lawfully entitled.

Tenements or Hereditaments, or to some Estate or Interest therein.

Expences of Purchases to be allowed by the Court.

LXIV. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, Body or Bodies or Corporation, entitled to any Houses, Lands, Tenements or Hereditaments to be purchased, taken or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of England, and to be applied in the Purchase of other Lands, Tenements or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the Court of Exchequer to order the Expences of all Purchases from time to time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Commissioners, who shall from time to time pay such Sums of Money for such Purposes as the said Court shall direct.

Power to pave or unpave any Parts of the Roads.

LXV. And be it further enacted, That it shall be lawful for the said Commissioners from time to time, and at any Time hereafter, to pave all or any Parts of the said Roads mentioned and described in the said First Schedule hereto annexed, which are now or shall be then unpaved, and from time to time to repair such Pavement; and, on the other Hand, to take up the Pavement of any of the said Roads which are now or shall be then paved, and replace the same with broken Flint, Granite, Gravel or other like Materials, as the said Commissioners shall think proper; and to enter into all Contracts for the Purposes aforesaid which they shall think proper.

Commissioners enabled to grant Licence to the Inhabitants to pave Footways of certain Roads.

LXVI. And be it further enacted, That it shall and may be lawful to and for such of the respective Owners or Occupiers of any House or Houses, Lands, Hereditaments and Premises adjoining the Roads mentioned and described in the Fifth Part of the said First Schedule hereto annexed, as shall think fit so to do, by Licence from the said Commissioners, to pave the Footway in front of their respective Houses, Lands, Hereditaments and Premises, in such Way and with such Materials as by such Licence shall be specified, but not otherwise; and which Pavements, when so laid, and all Pavements already made, and the Materials used, shall be and become vested in and be the Property of the said Commissioners; and also that it shall and may be lawful for the said Commissioners to direct and order and to cause such Channels and Watercourses, and also such Crossings at the Ends of the Streets or Lanes opening into the said Roads, to be made and paved along the Sides of the said Roads, as they in their Discretion shall think fit, and to pay and discharge the Expence thereof, and of keeping the same in repair, out of the Monies to arise by virtue of this Act.

Commissioners empowered to pave Channels and Crossings.

LXVII. Provided always, and be it further enacted, That nothing in this Act contained shall empower or authorize the said Commissioners to repair or otherwise interfere with the Footpaths of the High Street of the Town of Kensington aforesaid.

Proviso as to Footpaths in Kensington.

Sewers, &c. to be repaired by the Commissioners of Sewers.

LXVIII. And be it further enacted, That when and so often as any Sewer or Drain which is or shall be under the Direction of the Commissioners of Sewers, and which shall be situate in or communicating with any of the Roads mentioned and described in the said First Schedule hereto annexed, shall require to be made new, repaired, altered, cleansed or emptied, then and in every such Case

Case the said Commissioners of Sewers shall, within Six Days after Notice given to or left for their Surveyor or Clerk for the Time being at his last or usual Place of Abode, by the said Commissioners appointed or to be appointed by or under this Act, or by their Surveyor or other Person authorized by them, to make new, effectually repair, clean or empty such Sewer or Drain, as the Case may require; and in Default thereof it shall and may be lawful to and for the said Commissioners appointed or to be appointed by or under this Act, or their Surveyor or any Person authorized by them, to cause such Sewer or Drain to be made new, repaired or altered, cleansed or emptied, as the Case may require, or so much thereof as shall remain unfinished, the Charges and Expences whereof shall be paid by the said last mentioned Commissioners, who shall be reimbursed the same by the Clerk or Treasurer for the Time being to the said Commissioners of Sewers; and in case the said Clerk or Treasurer to the said Commissioners of Sewers shall neglect or refuse to pay what shall have been so paid and disbursed, within Ten Days next after Notice thereof shall be left at the Dwelling House or last Place of Abode of such Clerk or Treasurer, which Notice shall be in Writing, and signed by the Clerk to the Commissioners for putting this Act in Execution, and annexed to the Bill containing an Account of such Charges and Expences, it shall and may be lawful to and for the said last mentioned Commissioners, and they are hereby authorized and empowered, to bring or cause to be brought any Action or Actions in the Name of their Clerk for the Time being, against such Clerk or Treasurer of the said Commissioners of Sewers for the Time being, for the Recovery of such Sum or Sums of Money as they shall have so expended for the Purposes aforesaid, in which Action or Actions no Essoign, Protection or Wager of Law, or more than One Impar lance, shall be allowed.

LXIX. And be it further enacted, That all Parts of the Pavements of any of the Roads mentioned and described in the said First Schedule hereto annexed, which ought to be repaired or renewed by or at the Expence of any particular Parish or Parishes, Body or Bodies Politic or Corporate, and not of the Commissioners acting in Execution of this Act, may, if the said Commissioners shall think proper, be repaired or renewed by the said Commissioners, or under their Direction, but nevertheless at the Expence of the respective Parish or Parishes, Body or Bodies Politic or Corporate, at whose Expence the same ought to be repaired or renewed.

Pavements liable to be repaired by any Parish, &c. may be repaired at their Expence by the Commissioners.

LXX. And be it further enacted, That the said Commissioners shall have full Power and Authority from time to time to sell and dispose of all or any Part of the old Pavement or other Materials, or any Sand, Drift or Scrapings off the said Roads, or any of them, or any Articles, Matters or Things which shall be their Property, but not wanted by them for the Purposes of this Act, and shall apply the Monies arising from such Sales to the Purposes of this Act.

Commissioners may sell old Materials, &c.

LXXI. And Whereas it is desirable that Power should be given to the said Commissioners to light, in manner hereinafter mentioned, such and such Parts of the said Roads mentioned and described in the said First Schedule hereto annexed, as are
here-

' hereinafter particularly specified ; (that is to say,) such Parts of
 ' the Roads mentioned and described in the Second and Third
 ' Parts of the said First Schedule as lie within the Towns and Vil-
 ' lages through which the same Roads pass ; so much of the Road
 ' mentioned and described in the Fourth Part of the said First
 ' Schedule as lies between *Tyburn* and *Kensington Gravel Pits* ;
 ' the whole of the Roads mentioned and described in the Fifth,
 ' Sixth and Eighth Parts of the said First Schedule ; so much of
 ' the Roads mentioned and described in the Tenth Part of the
 ' said First Schedule, and therein called *The Stamford Hill Roads*,
 ' as lies between the Drapers Almshouses in the Parish of *Saint*
 ' *Leonard Shoreditch* and the Seven Mile Stone standing on the
 ' Road leading to the Parish of *Cheshunt*, and between the Place
 ' where the Watch-house in *Edmonton* formerly stood to the
 ' Church of the Parish of *Edmonton* ; the whole of the Roads
 ' mentioned and described in the Twelfth and Thirteenth Parts of
 ' the said First Schedule, together with the said Bridge over the
 ' River *Lea* ; and the whole of the Road mentioned and described
 ' in the Fourteenth Part of the said First Schedule ; which several
 ' Roads and Parts of Roads the Trustees acting in Execution of
 ' the several Acts relating thereto, and hereby repealed, are re-
 ' spectively authorized by the said Acts to light : ' Be it therefore
 enacted, That it shall be lawful for the said Commissioners, from
 and after the said First Day of *January* One thousand eight hun-
 dred and twenty seven, to cause the said Roads and Parts of
 Roads, or such Portions thereof respectively as are not lighted un-
 der any Act other than the Acts hereby repealed, to be lighted in
 every Winter Season, commencing from such Day not being
 earlier than the Twenty ninth Day of *September*, and ending on
 such Day not being later than the Twenty fifth Day of *April*, as
 the said Commissioners shall think proper ; and for the Purpose of
 lighting the said Roads and Parts of Roads, the said Commissioners
 may cause to be kept in repair all Glass Lamps now erected upon
 the said Roads and Parts of Roads which have been erected under
 any of the said Acts hereby repealed, or any former Acts for the
 making or maintaining of the said Roads or Parts of Roads re-
 spectively, and may cause to be erected and kept in repair such
 other Lamps on the said Roads and Parts of Roads as the said
 Commissioners shall think proper, and may light the same with
 Gas or otherwise as the said Commissioners may think proper, and
 may prepare and provide such Conductors or other Articles or
 Things as may be requisite for the same Purpose, and may affix or
 set up such Lamps, Conductors or other Articles or Things as
 aforesaid, or any of them, on or against the Outsides of any of the
 Walls of any of the Houses, Buildings or Tenements, or on or
 against any other Walls, or any Palings, Railings or other Fences
 upon or by the Sides of or near to the said Roads or Parts of
 Roads, or in any other Manner the said Commissioners may think
 proper, and may prepare, provide and lay down any Pipes or other
 Matters or Things which may be requisite for the Purpose of light-
 ing such Lamps with Gas as aforesaid ; the said Commissioners
 making such Satisfaction and Recompence for any Damage or
 Injury to be thereby occasioned to any Property (excepting any
 Waste Land or Common), for any such Damage or Injury to which

For lighting
the Roads.

no Recompence or Satisfaction shall be made, to any Person owning or being interested in such Property, as shall be agreed on between such Person and the said Commissioners, or the Person or Persons authorized by the said Commissioners to treat on their Behalf; and in any Case where they cannot agree thereon, then such Satisfaction and Recompence shall be settled and ascertained by the Order or Adjudication of Two Justices of the Peace, at a Special Sessions to be holden in the County wherein such Property shall be; and for the erecting and repairing and lighting of the said Lamps, and for the repairing and providing and laying down of such Conductors, Pipes and other Articles and Things, it shall be lawful for the said Commissioners to enter into such Contracts as they shall think proper.

‘ LXXII. And Whereas it is desirable that Power should be given to the said Commissioners to watch, in manner hereinafter mentioned, such and such Parts of the said Roads mentioned and described in the said First Schedule hereto annexed, as are hereinafter particularly specified; (that is to say,) the whole of the Roads mentioned and described in the First, Fourth, Fifth, Sixth, Eighth, Eleventh, Twelfth, Thirteenth and Fourteenth Parts of the said First Schedule; so much of the Roads mentioned and described in the Tenth Part of the said First Schedule, and therein called *The Stamford Hill Roads*, as lies between the Drapers Almshouses, in the Parish of *Saint Leonard Shoreditch*, and the Seven Mile Stone standing on the Road leading to the Parish of *Cheshunt*, and between the Place where the Watchhouse in *Edmonton* formerly stood, to the Church of the Parish of *Edmonton*; which several Roads and Parts of Roads the Trustees acting in Execution of the several Acts relating thereto, and hereby repealed, are by those Acts respectively authorized to watch:’ Be it therefore enacted, That it shall be lawful for the said Commissioners appointed and to be appointed by and under this Act, from and after the said First Day of *January* One thousand eight hundred and twenty seven, to appoint a competent Number of fit and able bodied Men as Watchmen and Supervisors of the Watch, to watch and guard the said Roads and Parts of Roads lastly hereinbefore specified, or such Portions thereof respectively as are not watched and guarded under and by virtue of some Act of Parliament other than the Acts hereby repealed, or under some other Law or Usage, and to make such Allowances to the said Watchmen and Supervisors of the Watch for their Attendance, and to give such Orders and Directions concerning the same, and the Manner in which the said Watchmen shall be armed and stationed upon the said Roads and Parts of Roads, and for the due and regular Performance of the said respective Services, as they the said Commissioners shall judge reasonable or expedient, and from time to time to remove any of the said Watchmen or Supervisors of the Watch, and appoint others in their Stead.

LXXIII. And be it further enacted, That the said Watchmen and Supervisors of the Watch shall, during the Time they shall be stationed on the said Roads, and at all Times coming to and going from their Duty, use their best Endeavours to assist all and every Person or Persons passing along the said Roads or the Footpath adjoin-

Commissioners may appoint Watchmen on the Roads herein described.

Power and Duty of the Watchmen.

adjoining, who shall be anyways assaulted, attacked or ill treated, and to prevent all Mischiefs by Fire, and all Murders, Burglaries or Robberies, and all other Outrages, Disorders and Misdemeanors, as well on the said Roads and the Footpaths adjoining, as in all Houses and other Buildings or Grounds by the Sides of or near the said Roads; and for that Purpose it shall be lawful for the said Watchmen and Supervisors, or any of them, to apprehend and secure all Night Walkers, Malefactors, Rogues, Vagabonds and other disorderly Persons who shall be found loitering, wandering, misbehaving themselves or committing any Disorder or Offence on the said Roads, or refusing to give a good Account of themselves, or whom the said Watchmen or Supervisors shall have reason to suspect of any evil Intentions or Designs, and to search every such Person or the Loading of any Horse, Ass, Mule, Cart or other Carriage which they shall suspect to have any stolen Goods thereon or therein, and shall and may confine and secure every such Person, and such Horse, Ass, Mule, Cart or other Carriage, until such Person can be conveniently conveyed before a Justice of the Peace to be examined and dealt with according to Law; and all Persons are hereby authorized and required to aid and assist any such Watchman or Supervisor in securing any such Offender or Person as aforesaid; and in case any such Watchman or Supervisor shall neglect to keep watch in manner or during the Time which shall be so appointed by the said Commissioners, or shall depart from or leave his Station, except for the Purpose aforesaid, or shall otherwise neglect his Duty or wilfully misbehave himself, or shall at any other Time than when he shall be on actual Duty wear or make use of, or at any Time lend or suffer to be worn or made use of (except to or by the Person who shall watch in his Stead), the Clothes, Arms or Accoutrements intrusted to him as such Watchman or Supervisor, he shall for every such Offence forfeit and pay a Sum not exceeding One Pound; and if any such Watchman or Supervisor shall unnecessarily hurt, damage, spoil or destroy, or negligently lose any of his Clothes, Arms or Accoutrements, he shall pay to the Treasurer to the said Commissioners all such Costs and Charges as shall be occasioned thereby.

Penalty on
Neglect of
Duty.

Watchmen
vested with the
Powers of
Constables.

LXXIV. And be it further enacted, That all Watchmen and Supervisors of the Watch to be appointed as aforesaid shall be sworn in as Constables before any Justice or Justices of the Peace for the County in which they are intended to act, and they shall act as such while in the Execution of the Powers and Authorities of the said General Turnpike Acts or of this Act, and they are hereby invested with and shall have and enjoy the like Powers and Authorities, Privileges and Immunities, as any Constable is invested with or has and enjoys by Law.

Commissioners
may reward
Watchmen.

LXXV. And be it further enacted, That it shall be lawful for the said Commissioners to give such Rewards in Money to any Watchmen or Supervisors of the Watch who may be appointed as aforesaid, and who may distinguish themselves by their Vigilance or Courage in the Apprehension of Offenders, or otherwise in the Discharge of their Duty, or who may be disabled or wounded in the Execution of their Office, as they the said Commissioners shall think reasonable.

LXXVI. And

LXXVI. And be it further enacted, That if any Victualler, Publican or other Person selling or dealing in Spirituous or other Liquors, shall entertain or harbour in his or her House or Habitation or Shop, any Watchman or Supervisor to be appointed under this Act, during any of the Hours or Times appointed for such Watchman or Supervisor to be on Duty, then every such Victualler, Publican or other Person shall forfeit and pay a Penalty not exceeding Five Pounds.

Penalty on
Publicans
harbouring
Watchmen.

LXXVII. And be it further enacted, That it shall be lawful for the said Commissioners to cause the Whole or such Parts as they shall in their Discretion think proper, of the several Roads mentioned and described in the said First Schedule hereto annexed, to be watered, at such Times and during such Seasons of the Year as they shall think proper; and for that Purpose it shall be lawful for the Surveyor of the said Roads, by Order of the said Commissioners, and such other Person or Persons as shall be employed by the said Commissioners or the said Surveyor for that Purpose, to carry away any Water from and out of any common Pond, River, Brook, Stream or Spring, in any Common or Waste Ground lying near or adjoining to any of the said Roads, and to make any Way, Path or Passage to and from the same, and to dig and bore and search for any Spring or Springs of Water in or upon any Common or Waste Ground, and to erect any Engine, Pump or Machine in such Pond, River, Brook, Stream or Spring, without paying any Thing for the same, the said Surveyor or other Person or Persons as aforesaid levelling the Ground, or railing or fencing off such Holes, Ponds or Places as they shall dig or make in searching for or carrying away the said Water, so that the same may not be dangerous to Passengers or Cattle; and if such a Quantity of Water as shall be needful for the Purpose aforesaid cannot be had or found in or upon such Waste Grounds, Commons, common Ponds, Rivers, Brooks, Streams or Springs, within a convenient Distance of the said Roads, then and in such Case the said Commissioners or the said Surveyor, or other Person or Persons as aforesaid, by Order of the said Commissioners, may and are hereby empowered to take and carry away any Water for the Purpose aforesaid, out of any Pond, River, Brook, Stream or Spring lying near or adjoining to any of the said Roads, (not being a Pond, River, Brook, Stream or Spring which now is or hereafter may be in any Yard, Garden, Park, Paddock, Planted Walk or Avenue to any House, or any inclosed Ground planted or set apart as a Nursery for Trees,) and to make any Way, Path or Passage, or to dig, bore and search for the same, and when found to take and carry away the same, in, upon or out of, from and over the Lands of any Person or Persons lying near and contiguous to the said Roads, (not being a Yard, Garden, Park, Paddock, Planted Walk or Avenue to any House, or any inclosed Ground planted or set apart for a Nursery for Trees,) and to erect, put or place any Engine, Pump or Machine in such Pond, River, Brook, Stream or Spring (except as aforesaid), paying or tendering Payment for the Damage done to such private Lands by the same, and also for the Damage done to any private Lands over or through which any Water, for the Purposes aforesaid, taken from any Waste Ground, Common, common Pond, River, Brook, Stream

Power to water
the Roads.

Stream or Spring, or from any other Pond, River, Brook, Stream or Spring, shall be conveyed, such Sum as, in case of any Dispute or Difference, any Two Justices of the Peace for the County where such private Lands shall be situate shall judge reasonable.

Exceptions to
taking Water.

LXXVIII. Provided always, and be it further enacted, That nothing herein contained shall authorize or empower the said Commissioners, or their Surveyor of the said Roads, or any other Person employed by them, to make use of the Water in any River, Stream, Pond, Reservoir or Head of Water, now made or which shall or may hereafter be made for the Service of the City of *London* or the Suburbs thereof; or from Two Ponds situate on each Side of the Road leading from the *Angel* to the *Flask* at *Highgate*, for the Service of the Inhabitants thereof; or to dig or bore for Water, or make any Well or Watering Place, nearer than or within the Distance of Twenty Feet from any such River, Stream, Pond, Reservoir or Head of Water; and that nothing in this Act contained shall give Power to the said Commissioners or their Surveyor of the said Roads, or any Person or Persons employed by them, to stop, divert or dispose of any Water or Watercourse, either in any public or private Ground, that shall contribute towards filling or supplying any public or private Pond, Basin, Canal or Reservoir of Water, until every such Pond, Basin, Canal and Reservoir shall be sufficiently supplied and filled, and the Water run waste.

Parishes not to
be excused
from lighting
and watching
where accus-
tomed.

LXXIX. Provided always, and be it further enacted, That nothing hereinbefore contained shall extend or be construed to extend to excuse any Parish, in which the several Roads and Parts of Roads hereinbefore specified, or any Portions thereof respectively, are situate, from erecting, maintaining and lighting such and so many Lamps, or from keeping the same Watch and Ward, as such Parish now ought by any Act or Acts of Parliament, or by any Law, Custom or Usage whatsoever, to erect, maintain, light and keep; and that all Lamps which are already erected or shall hereafter be erected in or by the Inhabitants or Parishioners of any such Parish, pursuant to any Act or Acts of Parliament or otherwise as aforesaid, on the Sides of the said Roads, or any Part thereof intended to be lighted as aforesaid, shall be so placed by such Parishioners and Inhabitants respectively as to give Light to the main Road as well as the Footpaths; and all Lamps which shall be erected by the said Commissioners pursuant to this Act shall be placed in like Manner, the Commissioners giving the Preference to the Road, where both the Road and Footpath cannot equally be lighted.

Commissioners
may agree with
Parishes, &c.
concerning the
Erection of
additional
Lamps, &c.

LXXX. Provided also, and be it further enacted, That in case the Parishioners or Inhabitants of any Parish, Hamlet, Town or Place in which any or any Portions of the said Roads or Parts of Roads hereby authorized to be lighted and watered are situate, or any other Person or Persons, shall be desirous, for the better lighting and watering of such Part of such particular Parish, Town, Hamlet or Place as lies on the Sides of the said Roads or Parts of Roads, to have a greater Number of Lamps erected than the said Commissioners shall think necessary for the general Purpose of lighting the said Roads or Parts of Roads, or shall be desirous of having such Roads or Parts of Roads watered sooner, or the
water-

watering thereof continued longer, than the said Commissioners would otherwise think proper, it shall be lawful for the said Commissioners, at the Request of such Parishioners, Inhabitants or other Persons as aforesaid, from time to time to contract and agree with them for the lighting or watering such Part of such Parish, Hamlet, Town or Place accordingly, for an adequate Consideration or Sum of Money.

LXXXI. And be it further enacted, That the Commissioners appointed and to be appointed by and under this Act may continue all or any of the Toll Gates, Bars, Toll Houses and Weighing Engines erected by virtue of the said recited Acts hereby repealed, or any former Acts relating to the said Roads mentioned and described in the said First Schedule hereto annexed respectively, and may erect such and so many other Toll Gates, Bars, Toll Houses and Weighing Engines, in, upon or across such Parts of the said several Roads mentioned and described in the said First Schedule hereto annexed, or on the Sides of the said Roads, across any other Roads, Streets or Lanes leading into the said Roads (such Side Gates or Bars not being in any Case at a Distance of more than Twenty Yards distant from the said Roads), as the said Commissioners shall think proper and expedient, subject nevertheless to such Exceptions, Regulations, Restrictions and Directions as in this Act or the said Acts of the Third and Fourth Years of the Reign of His present Majesty are mentioned or contained concerning the placing or erecting of such Toll Gates, Side Gates, Bars, Toll Houses and Weighing Engines respectively, and from time to time to repair, renew and rebuild, as Occasion shall require, such Gates, Bars, Toll Houses and Weighing Engines respectively, and to light such Toll Houses, and to cause all such other Erections, Buildings and other Conveniences to be made and put up, as in their Opinion shall be necessary or proper for the collecting and levying of the Tolls hereinafter authorized to be taken on the said Roads, or for any Purposes connected therewith.

Toll Gates may be continued or erected.

LXXXII. And be it further enacted, That it shall be lawful for the said Commissioners, when and so often as they shall think proper, to cause any of the Toll Gates, Bars, Toll Houses or Weighing Engines, already erected or to be hereafter erected in, upon or across, or on the Side or Sides of the said Roads mentioned and described in the said First Schedule hereto annexed, to be removed to and erected in, upon or across, or on the Side or Sides of such others or other, or such other Part or Parts of the said Roads, or any of them, or otherwise to be wholly removed and taken away, as the said Commissioners shall from time to time order and direct; provided that none of the said Toll Gates, Bars or Toll Houses shall be removed or taken away as aforesaid, unless Notice in Writing of the Intention to remove or take away the same shall have been affixed upon the same, nor unless such Notice shall have been advertised in some Newspaper published in the said County of *Middlesex* Twenty Days at least previously to such Order being made.

Power to remove Toll Gates.

LXXXIII. And be it further enacted, That it shall be lawful for the said Commissioners to erect and place One or more than One Toll Gate, Bar and Toll House across any Street or Road

Commissioners may erect Toll Gates across any Street com-

municating
over the Ranelagh
Sewer
with any of the
Roads de-
scribed in First
Schedule ;

but not to
erect Turnpikes
South of Ted-
ington Church,
&c.;

nor at Sparrows
Herne in the
County of
Herts ;
nor on Moor-
fields, or other
Places herein
mentioned.

Power to take
Tolls.

that now communicates with, or at any Time hereafter may be made to communicate with, any of the Roads mentioned and described in the said First Schedule hereto annexed, across the great Sewer commonly called *The Ranelagh Sewer*, at *Knightsbridge* in the County of *Middlesex*, every such Toll Gate, Bar and Toll House to be erected and placed as near as may be on the Western Side of the said Sewer, and to demand, receive and take, at every such Toll Gate or Toll Bar the same Tolls (notwithstanding any Horse or other Animal, in respect of which the same shall be payable, shall not pass above One hundred Yards on any of the said Roads mentioned and described in the said First Part of the said First Schedule hereto annexed, any Thing in the said General Turnpike Acts to the contrary notwithstanding,) as are hereby authorized to be taken on the said Roads mentioned and described in the said First Part of the said First Schedule hereto annexed, but subject to the same Exemptions in favour of Persons having already paid Toll, and the same Exceptions from such Exemptions, and also subject to the same general Exemptions and Provisions as will be in force with respect to the Tolls at the other Gates and Bars on the said last mentioned Roads under this Act and the said General Turnpike Acts: Provided always, that nothing in this Act or in the said General Turnpike Acts contained shall extend to empower the said Commissioners to erect any Toll Gate on such Part of the Roads mentioned and described in the Third Part of the said First Schedule hereto annexed as lies South of the Parish Church of *Tedington*, or on such Part of the said last mentioned Roads as lies in the Parish of *Twickenham*, between a Bridge built over a Brook called *Mother Ivy's Water* and a Rill which parts the said Parishes of *Twickenham* and *Tedington*; or on such Part of the Road mentioned and described in the Fourth Part of the said First Schedule as lies between the Western End of *Oxford Street* and the Toll Gate now standing at *Bayswater*; or on the Road mentioned and described in the Seventh Part of the said First Schedule, at *Sparrows Herne* in the County of *Hertford*; or on any Part of *Moorfields*; or on any Part of the said Roads mentioned and described in the Eleventh Part of the said First Schedule, Westward of the West Side of *Worship Square*, or Eastward of *Queen Street*, or between *Queen Street* and the North Side of *Holywell Lane* in the Parish of *Saint Leonard Shoreditch*; nor on either Side of the Road mentioned and described in the Eleventh Part of the said First Schedule, called *The Old Street Road*, across the *City Road*, for the Purpose of taking at such Gate the Tolls hereinafter authorized to be taken at all Gates erected on or by the Sides of the Roads mentioned and described in the said Eleventh Part of the said First Schedule.

LXXXIV. And be it further enacted, That it shall be lawful for the said Commissioners, or their Lessees or Collectors, or any present or future Mortgagees, when in actual Possession under and by virtue of the said General Turnpike Acts or of this Act, and they are hereby authorized, to demand, receive and take, on or at the Side of the several Roads respectively which are mentioned and described in the said First Schedule hereto annexed, before the Horse, Carriage or other Animal or Vehicle in respect

of

of which the same shall be payable shall be allowed to pass through any Gate or Bar erected or to be erected on or by the Side of the said Roads, the several Tolls particularized in the Second Schedule hereto annexed ; but subject to the Restrictions and Exemptions in the same Schedule, or in this Act after mentioned, and also to the Restrictions, Exemptions and Provisions mentioned and contained in the said General Turnpike Acts, except as the same are in any Manner altered, varied or dispensed with by the Provisions contained in this Act, or in the said Second Schedule hereto annexed.

LXXXV. Provided always, and be it further enacted, That the Exemptions and Provisions with respect to Tolls contained in the said General Turnpike Acts shall (except as the same are altered, varied or repealed by this Act,) extend to any Gate to be erected on the said Bridge called *Lea Bridge*; and the said Bridge shall, for all Purposes of the said General Turnpike Acts and of this Act (except as herein otherwise expressed), be considered as Part of the Roads mentioned and described in the Thirteenth Part of the said First Schedule hereto annexed.

Exemptions from Toll, &c. in General Acts extended to *Lea Bridge*.

LXXXVI. Provided always, and be it further enacted, That no Person shall be entitled to any Exemption from Toll under the Provisions of the said General Turnpike Acts or of this Act, by reason of any previous Payment of Toll, unless he shall prove such previous Payment, if required so to do, by producing such Ticket as by the said General Turnpike Acts is required to be given by the Commissioners or Trustees of any Turnpike Road for denoting the Payment of Toll.

Tickets to be produced by Persons claiming Exemption from Toll.

LXXXVII. And be it further enacted, That no Surveyor or other Officer employed by the said Commissioners for the Repair, Maintenance or Support of or on any of the said Roads mentioned and described in the said First Schedule hereto annexed, shall be liable to or shall be required to pay any Toll hereby authorized to be taken on any of the said Roads, but every such Surveyor and other Officer passing and repassing on the said Roads or any of them, or any Part thereof, shall be exempt and free from Payment of all such Tolls, whether he shall be passing or repassing on the particular Road for which he shall act or be employed, or any other of the said Roads.

Surveyor, &c. exempted from Toll.

LXXXVIII. Provided always, That if any Toll Gate or Bar shall be erected in the Town of *Isleworth*, the resident Inhabitants of the said Town of *Isleworth*, and all other Inhabitants residing within the following Limits of the said Town of *Isleworth*, *vide* *habet*, to the Extent of Road in a Line leading from the *Rails Headferry*, called *Turks Lane*, towards *Richmond Bridge*, as far as where the Hand Post is now situated, and to the Extent of Road leading to *Twickenham* ending at a Place called *Ivy Bridge*, and to the Extent of Road in *Worton Lane* ending at a Farm House, the Estate of Colonel *Clitherow*, occupied by *Philip Clements*, and to the Extent of Road in a Lane commonly called *Brazil Mill Lane*, ending with the Premises there in the Occupation of *William Stanborough*, shall not be liable to pay any Toll for passing through the said Gate in the Town of *Isleworth*, with their Carriages or Horses or other Cattle, but are hereby declared to be fully and wholly exempt therefrom.

Exemption from Toll in favour of the Inhabitants of *Isleworth*.

Inhabitants of
Stoke Newing-
ton Parish not
to pay certain
Tolls.

LXXXIX. Provided always, and be it further enacted, That no Toll shall be demanded or taken at any Gate or Bar to be continued or erected by virtue of this Act on any Part of the Roads mentioned and described in the Tenth Part of the said First Schedule hereto annexed, at or between the South West End of the Road leading from *Paradise Row* by *Saint Mary Stoke Newington* to *Newington Green*, for the Passage of any Horse, Mare, Gelding, Mule or Ass, or of any Coach, Berlin, Landau, Landaulet, Chariot, Chaise or other Carriage of Pleasure, belonging to any of the Inhabitants of the said Parish of *Saint Mary Stoke Newington*, or hired by him or her for any Time not less than a whole Day, and used for his or her own Use only.

Carriages
loaded with
Turnips, &c. to
pay Toll on
certain Roads.

XC. Provided always, and be it further enacted, That all Waggon, Carts and other Carriages, loaded with Turnips, Potatoes, Cabbages, Carrots, Wash or dry Fodder, or loaded with Ashes, Breeze or Sand, to be used for any other Purpose than for Manure, shall be subject and liable to the several Tolls by this Act made payable on the Roads mentioned and described in the Tenth Part of the said First Schedule hereto annexed.

Drivers of
Carriages with
Ashes, &c. for
Manure, to
leave a Note
stating Name,
&c. with Col-
lectors.

XCI. And Whereas the Payment of the said Tolls, or Part thereof, might be evaded by Persons claiming an Exemption from Toll for Carriages employed in carrying Ashes, Breeze or Sand for the making of Bricks or Tiles, and repairing and building of Houses, Walls and other Erections, under Pretences that the same were intended to be used for Manure; For the preventing thereof be it further enacted, That the Owner of every Waggon, Cart or other Carriage employed in the Carriage of Ashes, Breeze or Sand for the Purpose of Manure, or his Steward, Bailiff or Agent, shall give to the Driver of every such Carriage a Note in Writing, under the Hand of such Owner, or his Steward, Bailiff or Agent, setting forth the Owner's Name, the Day of the Month, and that the same is for the Purpose of Manure only; which Note the said Driver is hereby directed to leave with the Collector of the Tolls at the Turnpike where such Driver shall claim the Exemption from Toll for such Carriage; and in case no such Note shall be so given and delivered as aforesaid, such Loading shall not be deemed to be or considered as Manure.

Carriages pass-
ing to or from
Dalston to be
weighed at
Kingsland.

XCII. And be it further enacted, That it shall be lawful for the said Commissioners to order and cause any Waggon, Cart and other Carriage, liable by Law to be weighed, passing through the Turnpike at *Kingsland* into or from the Highway leading to *Dalston*, to pass over the Machine or Engine for weighing of Carriages erected at or near the said Turnpike at *Kingsland*, and to be weighed thereby, and to take and receive the Toll for any Overweight thereof.

Waggon and
Carts passing
on Roads in
Fifth Part of
First Schedule
liable to be
weighed, and
chargeable for
Overweight.
Exemptions.

XCIII. And be it further enacted, That every Waggon, Wain, Cart or other Carriage whatsoever, which shall go, pass or travel in, through, over or across the Roads mentioned and described in the Fifth Part of the said First Schedule hereto annexed, or any of them, shall be liable to be weighed, and the Person or Persons owning or driving the same charged and chargeable with the extra Tolls and Penalties charged upon Overweight by the General Turnpike Acts, without any Exemption therefrom on any Account or Pretence whatsoever: Provided nevertheless, that
nothing

nothing in this Act contained shall extend to subject or make liable any Cart, Wain, Waggon or other Carriage with Six Inch Wheels, drawn by Three Horses at the least, and laden with One Thousand Bricks and no more, to be weighed, or charged or chargeable with any extra Toll or Penalty on account of Overweight, on the said Roads mentioned and described in the said Fifth Part of the said First Schedule, nor to subject any Cart, Wain or Waggon laden with Dung or Compost for Manure to Overweight, for any Amount of such Overweight less than Five Hundred Weight, on the said Roads mentioned and described in the said Fifth Part of the said First Schedule.

XCIV. And be it further enacted, That it shall be lawful for the said Commissioners to demand and take, or cause to be demanded and taken, on the Roads mentioned and described in the Fifth Part of the said First Schedule hereto annexed, over and above the Tolls or Duties by the General Turnpike Acts or any of them and by this Act payable in respect of the same, for every Cart, Dray or other such Carriage drawn by One Horse, in case the same shall exceed One Ton and Ten Hundredweight in Summer, or One Ton and Seven Hundredweight in Winter, such Sum and Sums for such Overweight by which such Cart, Dray or other Carriage with Two Wheels shall exceed the aforesaid Weights, as by the said General Turnpike Acts are directed to be taken on additional Weights as an extra Toll for the same; and the said Commissioners for the Time being, and the Person or Persons who shall be by them appointed to collect or receive the said Tolls or Duties, are hereby authorized and empowered to stop every such Cart, Dray or other Carriage, at any Toll Gate or Toll House, or Weighing House or Engine now erected or hereafter to be erected on the said Roads, to weigh the same.

One Horse
Carts liable to
extra Toll for
Overweight.

XCV. And be it further enacted, That the Lessee or Lessees of the said Tolls for the Time being shall at all Times be responsible for every Person or Persons employed by or under him or them for the Purpose of collecting or receiving the said Tolls, whether such Person or Persons shall be a Party in hiring the same or not; and all Persons or Passengers going through any Turnpike Gate erected on or by the Side of the said Roads, having any lawful Complaint against such Collector or Collectors, or against the Person whose Name shall be painted on the Board to be hung up in manner directed by the said General Turnpike Acts, may prefer the same against the Lessee or Lessees of the said Tolls, who shall be liable to the same Fines, Forfeitures or Penalties as if acting in his or their own proper Person or Persons, in case the Collector or Collectors is or are not known or cannot be found.

Lessees of
Tolls respon-
sible for Per-
sons employed
by them.

XCVI. And be it further enacted, That it shall be lawful for the said Commissioners to remove any Collector or Collectors of the said Tolls whenever they shall think proper, notwithstanding such Collector or Collectors may have been appointed by the Lessee or Lessees of the said Tolls for the Time being, any Thing in the said General Turnpike Acts or in this Act to the contrary notwithstanding; and if any Lessee or Lessees of the said Tolls, without the Consent of the said Commissioners, shall appoint any Person or Persons a Collector or Collectors of the said Tolls, who shall

Commissioners
may remove
Collectors.

Lessees not to
appoint Col-
lectors that have
been so re-
moved.

have been removed in manner aforesaid, every such Lessee shall forfeit and pay any Sum not exceeding Forty Shillings for each and every Day that such Person or Persons shall continue such Collector or Collectors.

Commissioners
may reduce, ad-
vance or alter
Tolls.

XCVII. And be it further enacted, That it shall be lawful for the said Commissioners at any Time, subject to the Provisoers and Restrictions hereinafter mentioned, to lessen and reduce the said Tolls mentioned in the said Second Schedule hereto annexed, or any of them, and again at any Time to advance the same, but not to any Amount exceeding the Amounts mentioned in the said Second Schedule; and also at any Time to abolish altogether any of the said Tolls, and again at any Time to restore all or any of the Tolls so abolished; and also at any Time to declare that, subject to such Exceptions and Provisions (if any) as the said Commissioners shall think proper, any Person who shall have paid Toll on any of the Roads mentioned in either Part of the said First Schedule hereto annexed shall be exempt from Payment of any Toll during the same Day on the Roads mentioned in the other Parts of the said First Schedule, or any of the said Roads, or any Part thereof, and again at any Time to recall such Exemption; and from time to time to apportion any of the said Tolls by this Act authorized to be taken, in such Manner as that the full Toll shall not be taken at any One Gate or Bar, but a Part only, and the Remainder at any other Gate or Gates, or Bar or Bars, and from time to time to revoke or alter any such Apportionment, and generally from time to time to alter and vary the said Tolls in any other Manner in which they may think proper so to do, so that the Toll do not at any Time exceed the Amounts specified in the said Second Schedule hereto annexed.

Alteration in
Tolls to be ad-
vertised.

XCVIII. Provided always, and be it further enacted, That no Alteration in the said Tolls, either by reducing, apportioning or advancing the same, or in any other Manner, nor any Exemption from Toll, nor any Recall of such Exemption, shall be made to take effect until One Calendar Month at the least after the same shall have been advertised by the said Commissioners in Two or more daily Newspapers published in *London* or *Middlesex*.

No Alteration
to be made in
the Tolls,
which will not
leave sufficient
to pay Annu-
ties, &c. ;

XCIX. Provided always, and be it further enacted, That during such Time as any Annuity shall remain charged upon the said Tolls or any of them, no Reduction, Apportionment or Abolition of or Exemption from, or other Alteration in any of the said Tolls on which any Annuity shall so remain charged, shall be made or declared by the said Commissioners, which shall have the Effect of reducing the annual Income of the Commissioners applicable to the Payment of such Annuity to an Amount below what will be sufficient, judging from the Accounts for the last Year, between the First Day of *January* and the Thirty first Day of *December*, both inclusive, to pay the said Annuity, and the Expences of keeping in repair the Roads on which such Tolls shall be taken, and all other the annual Expences of the said Commissioners in respect of such Roads.

nor any Alter-
ation which will
not leave a Sur-
plus of Income
to pay Part of

C. Provided always, and be it further enacted, That during such Time as any principal Sum shall be due on Mortgage of the said Tolls, or any of them, no Reduction, Apportionment or Abolition of or Exemption from, or other Alteration in any of the said

Tolls

Tolls on which any Sum shall be charged, shall be made or declared by the said Commissioners, which shall have the Effect of reducing the annual Income of the Commissioners applicable to the Payment of such Sum to an Amount below what will be sufficient, judging from the Accounts of the last Year, between the First Day of *January* and the Thirty first Day of *December*, both inclusive, not only to pay the Interest of all Sums then due on Mortgage of the Tolls on which such Sum shall be so charged, and all Annuities then charged on the said Tolls, and the Expences of keeping in repair the Roads on which such Tolls shall be levied, and all other the annual Expences of the said Commissioners in respect of such Roads, but also to pay an Instalment of Five Pounds *per Centum* on the Amount of all Sums then due on Mortgage of the said Tolls in discharge of the Principal : Provided nevertheless, that any such Reduction or Apportionment, or Abolition of or Exemption from, or other Alteration in the said Tolls or any of them, as lastly hereinbefore is mentioned, may be made or declared by the said Commissioners at any Time, although the same may have the Effect of reducing the annual Income of the said Commissioners below such Amount as lastly hereinbefore is mentioned, provided the same be made or declared with the previous Consent in Writing of the Person or Persons entitled to Two Thirds of the Money for the Time being due on Mortgage of the said Tolls ; any Thing hereinbefore contained to the contrary thereof in anywise notwithstanding.

the Money due on Mortgage ;

unless with Consent of Two Thirds of the Creditors.

‘ CI. And in order that the Inhabitants and Occupiers of Houses and other Premises adjoining such of the said Roads mentioned and described in the said First Schedule hereto annexed, as are hereinafter in that Behalf mentioned, may bear a Part of the general Expences incurred in carrying the Purposes of this Act into Execution, proportionate to the Benefit they will derive from the watching and lighting of the said Roads ;’ Be it further enacted, That a Special Meeting of the said Commissioners shall be held on the First *Monday* in the Month of *August* One thousand eight hundred and twenty seven, and on the First *Monday* in the Month of *August* in every succeeding Year, or within Thirty Days then next after ; and the said Commissioners shall at such Meeting make a Rate or Assessment by way of Pound Rate, not exceeding Four Pence in the Pound, upon all Persons who shall inhabit, hold, use, possess, occupy or enjoy any Houses, Shops, Warehouses, Coach Houses, Stables or other Buildings, Yards, Gardens and Grounds (such Gardens or Grounds not being Gardeners or Nursery Grounds), situate by the Side of such Parts of the Roads mentioned and described in the Fifth Part of the said First Schedule hereto annexed, as shall be lighted and watched under the Powers and Provisions of this Act or within Two hundred Yards thereof, of the yearly Value of Ten Pounds or upwards, according to the annual Value of such Houses, Shops, Warehouses, Coach Houses, Stables or other Buildings, Yards, Gardens and Grounds respectively ; and also a Rate or Assessment by way of Pound Rate, not exceeding Sixpence in the Pound, upon the several Inhabitants or Occupiers of all Houses, Shops, Warehouses, Coach Houses, Stables or other Buildings, Yards and Gardens (such Gardens not being Gardeners’ or Nursery Grounds), situate

Commissioners may assess Inhabitants of Houses near to Roads.

by the Side of such and such Part of the said Roads mentioned and described in the Eighth Part of the said First Schedule hereto annexed, as shall be lighted and watched in pursuance of this Act or within One hundred Yards thereof, of the yearly Rents of Ten Pounds or upwards, according to the annual improved Rent or Value thereof; and also a Rate or Assessment by way of Pound Rate, not exceeding Sixpence in the Pound, upon the several Inhabitants or Occupiers of Houses, Shops, Warehouses, Coach Houses, Stables or other Buildings, Yards or Gardens (not being Gardeners' or Nursery Grounds exceeding One Acre), situate by the Side of such Parts of the said Roads mentioned and described in the Tenth Part of the said First Schedule, and therein called *The Stamford Hill Roads*, as shall be watched, watered and lighted under the Provisions of this Act, or within Two hundred Yards thereof, at the yearly Value of Ten Pounds or upwards, according to the improved Rent or Value thereof; such several Distances of One hundred Yards and Two hundred Yards from the said Roads respectively to be measured and taken from the Centre of the usual Watercourse at the Sides of the Roads, allowing One Yard from the Centre thereof for the Width of the said Watercourse, which said Yard is to be considered as exclusive and as no Part of the said One hundred Yards or Two hundred Yards; and where Part only of any such House, Shop, Warehouse, Coach House, Stable or other Building shall be within the said Distance of One hundred Yards or Two hundred Yards, such House, Shop, Warehouse, Coach House, Stable or other Building, with the Yards and Gardens belonging to the same, shall be adjudged and taken to be and shall be rated as if the whole thereof was situate within the said Distance of One hundred Yards or Two hundred Yards; and the Rates and Assessments to be so made as aforesaid shall be payable Half yearly by Two equal Payments, One on the Twenty-ninth Day of *September*, and the other on the Twenty-fifth Day of *March* in every Year, and shall be collected, levied and recovered in manner hereinafter mentioned.

Power to ap-
point Assessors.

‘CII. And the better to enable the said Commissioners to make such Rates and Assessments as hereinbefore are mentioned,’ Be it further enacted, That it shall be lawful for the said Commissioners, if they shall think proper so to do, by Warrants under the Hand of the Chairman of the Meeting of the said Commissioners at which each such Warrant shall be directed to be issued, to nominate and appoint Two or more substantial Inhabitants or Householders, in each Parish in which any Building or other Premises liable to either of the said Rates or Assessments shall be situate, to be Assessors for the Purposes hereinafter mentioned; and such Assessors shall, within Twenty one Days after they shall be served with their Warrants of Appointment, either by the same being delivered to them or left for them at their usual Places of Abode, make, sign and return to the said Commissioners such Rates or Assessments for their respective Parishes as the said Commissioners are hereby empowered to raise, in which Rates or Assessments there shall be specified and set down in different Columns the Names of the respective Inhabitants or Occupiers of Premises liable to the Rate, the annual Rents or Values of their respective Premises, and the Amount of the Rate charged on each of the said

Inhabitants or Occupiers, and when the Premises shall be unoccupied, the annual Value of the Premises to be let; and the Rates and Assessments to be so returned by the said Assessors may be adopted or not by the said Commissioners, as they the said Commissioners shall in their Discretion think proper, and if adopted, may be adopted with any Alterations which the said Commissioners may think proper.

CIII. And be it further enacted, That in case any Person so appointed Assessor shall refuse or neglect to take upon him the said Office of Assessor, without sufficient Excuse (to be allowed by the said Commissioners), or shall be negligent in the Execution of his Duty, he shall forfeit and pay for every such Offence the Sum of Five Pounds; and in case of such Neglect or Refusal, or if any Person so to be appointed Assessor as aforesaid shall show to the said Commissioners such Excuse as they shall judge sufficient for his Discharge from such Office of Assessor, or shall, after being so appointed, become incapable of executing such Office, then and in either of the said Cases it shall be lawful for the said Commissioners, at any subsequent Meeting, by Warrant under their Hands, to nominate and appoint a substantial Householder of the Parish for which such Person so neglecting, refusing, becoming incapable or being excused or discharged as aforesaid, was appointed Assessor, to be Assessor for such Parish in the Room, Place and Stead of such Person so neglecting, refusing, becoming incapable or being excused or discharged as aforesaid; and every Person so appointed shall immediately enter upon and execute the said Office of Assessor, and shall be subject and liable to the like Penalties, Orders and Rules, in every respect as if he had been originally appointed Assessor as aforesaid: Provided always, that no Person shall be liable or compelled against his Will or Consent to take upon himself the said Office of Assessor again after having once taken upon himself the said Office, or after having once fined or forfeited and paid the Sum of Five Pounds for refusing or neglecting to take upon himself the said Office without sufficient Excuse as aforesaid; but it shall, nevertheless, be lawful for any Person to take upon himself such Office of Assessor as often as he may be nominated and appointed thereto by the said Commissioners as aforesaid, if he consent to take upon himself the same.

Penalty on Assessor refusing to act.

CIV. And for better enabling the said Commissioners to ascertain the yearly Rent or Value of the several Houses, Shops, Wharfs, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, Tenements or other Hereditaments hereby authorized to be rated; Be it further enacted, That it shall be lawful for any Person or Persons, having an Order under the Hands of any Two or more of the said Commissioners, to inspect or take Copies or Extracts of any Rate made or to be made for raising Money for the Relief and Maintenance of the Poor, and the Rates and Assessments for the House Tax, within any of the Parishes in which any of the said Houses or other Premises shall be situate; which Inspection, Copies and Extracts, the Person or Persons having the Custody of such Rates respectively are hereby required to permit and suffer to be made without Fee or Reward, upon the producing of such Orders; and in case any Person having the

Commissioners may authorize an Inspection of the Poor Rates and House Rates of Parishes.

Custody

Custody of any such Rates shall wilfully neglect or refuse so to do within Three Days after such Order shall have been produced and shown to him, or a Copy thereof left at his usual Place of Abode, he shall for every such Neglect or Refusal forfeit and pay any Sum not exceeding Five Pounds nor less than Ten Shillings.

Commissioners to give Notice of making the Rates.

CV. And be it further enacted, That when any such Rates or Assessments shall be made as aforesaid, the said Commissioners shall cause Notice thereof to be given in the Churches of the said respective Parishes, at least Twenty one Days before the said Rates or Assessments shall become payable, to the end that all or any of the Persons concerned may, if they think proper, inspect the same; which Inspection the said Commissioners are hereby required to permit and suffer *gratis*, upon Application made to them for that Purpose; and in case the said Rates or Assessments shall not be appealed against within Twenty one Days next after such Notice, the same shall be binding and conclusive upon all Parties; and in case the same shall be appealed against in One or more Particular or Particulars, the same shall nevertheless be binding and conclusive in all other Particulars, and such Parts of the said Rates or Assessments which shall not be appealed against shall and may be collected as if no such Appeal was made, and the Proceedings on the said Rates or Assessments shall only be stayed on those Parts which shall be appealed against.

Persons receiving no Benefit may be exempted from the Payment of Rates.

CVI. And Whereas there are or may be many Persons occupying Houses or other Premises within the respective Distances aforesaid from such Parts of the said Roads mentioned and described in the said Eighth Part of the said First Schedule, and such Parts of the said *Stamford Hill* Roads respectively as may be lighted and watched under the Powers of this Act, but, by the Situation of such Houses or other Premises, receiving little or no Advantage from lighting and watching the said Roads as aforesaid; Be it therefore enacted, That the said Commissioners may, if they shall think proper, on Application of any such Occupier, discharge him from any Payment of any Rate to be made under the Authority of this Act, or charge him only with the Payment of such Proportion thereof as they the said Commissioners shall judge such Occupier ought equitably and justly to pay for the Benefit he may receive from the lighting and watching of the said Roads.

Commissioners to appoint Collectors, and to take Security.

CVII. And be it further enacted, That the said Commissioners may appoint such Person or Persons as they shall think proper, to collect and levy the Rates and Assessments hereby empowered and directed to be made and collected as aforesaid, which said Collector or Collectors may from time to time be removed, and another or others appointed in his or their Room, as the said Commissioners shall think fit; and the said Commissioners may make such Allowance to such Collector or Collectors for his or their Trouble as they shall think fit; and the said Collectors shall from time to time account for the said Rates and Assessments to the said Commissioners, in such Manner as Collectors and other Officers are by the said General Turnpike Acts appointed to account with the Commissioners or Trustees by whom they are appointed, and shall pay the Monies collected in such Manner as the said Commissioners shall direct and appoint, and in Default thereof,

thereof, or of delivering up the Books, Papers and Writings relating to the Trusts and Powers hereby granted to him or them, shall be liable to the same Pains and Penalties as Collectors of Tolls and other Officers are by the said last mentioned Acts made liable to; and the said Commissioners may take such Security from such Collector or Collectors of the said Rates, for the due Execution of his and their respective Offices as the said Commissioners shall think fit; and such Collectors shall collect and levy such Parts of the said Rates as shall not be appealed against when and as the same shall become due and payable, and as to such Parts thereof as to which there shall be an Appeal, but which Appeal shall be afterwards determined in favour of the Rate, the said Collectors shall collect and levy the same immediately after the Determination of the Appeal.

‘ CVIII. And Whereas there are or may be divers Houses liable to be rated under the Powers of this Act, which are or may be let out to several Persons occupying different Apartments thereof, or let ready furnished to Lodgers, whereby the Payment of the Rates or Assessments granted by this Act chargeable on such Houses might be evaded;’ Be it therefore further enacted, That every Person, whether Landlord or Tenant, who shall let his or her House in separate Apartments or ready furnished to a Lodger or Lodgers, shall for the several Purposes of this Act be deemed and taken to be the Occupier thereof, and may be rated or assessed accordingly, and shall be liable and subject to the Payment of the several Sums so rated and assessed: Provided always, that no such Landlord shall be chargeable with or be liable to pay for any increased Rent which he shall reserve or make payable to him for or on account of his paying the said Rates and Assessments: Provided also, that the Goods or Chattels of each and every Person renting or occupying every separate Apartment in such House, or renting or occupying any ready furnished House, shall be liable to be distrained and sold for the Payment of the said Rates or Assessments respectively; and that every Person who shall pay such Rates or Assessments, or any of them, so charged on his or her respective Landlord or Landlords, or upon whose Goods and Chattels the same shall be levied in pursuance of this Act, shall and may, unless there shall be some Agreement between him or her and his or her Landlord to the contrary, deduct the same from and out of the Rent due and payable from time to time to his or her Landlord, and the Receipt of such Payment shall be a sufficient Discharge to his or her Landlord for so much Money as he or she shall have so paid, or which shall have been levied on his or her Goods and Chattels in pursuance of this Act: Provided nevertheless, that no Person who shall be merely a Lodger in, or shall merely occupy ready furnished any House liable to be rated under the Powers of this Act, shall be required or compellable, by Distress of his Goods and Chattels or otherwise, to pay any greater Sum for or towards the Discharge of any Rates or Assessments thereon, under the Powers of this Act, than the Amount of the Rent actually due and payable from or by him or her to the Landlord or Landlords of or other Person or Persons rated or assessed as the Occupier or Occupiers of such House.

Persons letting out Houses in separate Apartments, or ready furnished, liable to Rates.

Goods of Tenants liable to be distrained:

but no Person to pay a greater Sum in Discharge of the Rates than the Amount of Rent actually due to the Landlord.

Arrears of Rates under former Acts may be recovered.

CIX. And be it further enacted, That from and after the said First Day of *January* One thousand eight hundred and twenty seven, the Collectors of the Rates and Assessments hereby authorized to be made shall and may collect and levy the Arrears of any Rate or Assessment made by virtue of any of the said recited Acts hereby repealed, and shall have the same Powers and Remedies for collecting and levying the same as are hereinafter given for collecting and levying the Rates and Assessments by this Act authorized to be made.

Inhabitants, &c. refusing to pay Rates, how to be recovered.

CX. And for the better and more effectually collecting and levying the Rates and Assessments authorized to be made by this Act; Be it further enacted, That in every Case where any Inhabitant, Owner, Occupier, Proprietor or Lessee of any Land, Ground, House, Shop, Warehouse, Coach House, Stable, Cellar, Vault, Building, Tenement or Hereditament, hereinbefore made liable to be rated by virtue of this Act, shall refuse or neglect to pay the Money rated and assessed upon him or her, and all Arrears due thereon, or shall quit his or her Land, Ground, House, Shop, Warehouse, Coach House, Stable, Cellar, Vault, Building, Tenement or Hereditament, which shall have been so rated and assessed, before he, she or they shall have paid such Rate or Assessment, it shall and may be lawful to and for the Collector or Collectors of such Rate or Assessment, by Warrant under the Hands and Seals of Two of His Majesty's Justices of the Peace for the County of *Middlesex* (which Warrant the said Justices are hereby authorized and required to grant without Fee or Reward), to collect and levy such Rate and Assessment, and all Arrears due upon the said Rate or Assessment, by Distress and Sale of the Goods and Chattels of the Party so neglecting, refusing or quitting as aforesaid, which shall be found either upon the House, Ground or other Premises, upon which such Rate or Assessment shall have been made, or elsewhere; and if within Five Days next after such Distress shall be made, the said Rate or Assessment, together with all Arrears due thereon, shall not be paid, together with the reasonable Charges of taking and keeping the same, the said Collector or Collectors shall cause the said Goods and Chattels to be appraised and sold, or such Part thereof as shall be sufficient for the Purpose, and shall, out of the Proceeds of such Sale, retain the Amount of the said Rate or Assessment, together with all Arrears due thereon, and the reasonable Charges of making such Distress, and of keeping and selling the same, and shall return the Overplus (if any), together with such Part (if any) of the said Goods and Chattels as shall remain unsold, to the Owner or Owners of such Goods and Chattels respectively upon Demand.

Persons removing to pay a proportionable Part of the Rates.

CXI. And be it further enacted, That in all Cases where any Person or Persons shall remove from or quit any Messuage or Dwelling House, Warehouse, Building, Garden, Land, Tenement, Hereditament or Premises, which shall have been rated or assessed by virtue of this Act, such Person or Persons shall be liable to pay a proportionable Part of such Rates or Assessments for the Time that he, she or they shall have occupied the same, in like Manner as if such Person or Persons had not removed or quitted the same; and in all Cases where any Person or Persons shall come into

into or occupy any such Premises out of or from which any other Person or Persons who had been rated or assessed for the same shall have removed, or which at the Time of making any such Rate or Assessment was or were empty or unoccupied, such Person or Persons shall be liable to a proportionate Part of such Rate or Assessment for the Time that he, she or they shall occupy the same, in the same Manner as if he, she or they had been originally rated or assessed for the same; and the Proportion, in case of any Dispute respecting the same, shall be determined by the said Commissioners in such Manner as they shall deem reasonable and just; and in case any Person having been so rated and assessed shall quit the Premises in which he or she had been so rated or assessed, without paying such Rate or Assessment, or his or her Proportion thereof by him or her due and payable as aforesaid, and shall afterwards refuse or neglect to pay the same, it shall be lawful for the Collector or Collectors of the said Rates or Assessments, by Warrant under the Hand and Seal of any Justice of the Peace for the said County of *Middlesex*, countersigned or indorsed by any Justice of the Peace for the City, County, Riding, Division, Liberty, Town or Place where such Person shall remove to or reside, or where any Goods or Chattels of such Person shall be found, in case such Person shall have removed to or shall reside at, or his Goods or Chattels shall be found in any City, County or other Place not within the Jurisdiction of the Justices of the said County of *Middlesex*, (which Warrant such Justice of the said County of *Middlesex* is hereby required to grant, upon Proof made of the Sum so due before him upon Oath of a credible Witness or Witnesses (or Affirmation, being a Quaker), and such Justice of the City, County, Riding, Division, Liberty, Town or Place where such Person shall remove to or reside, or where his or her Goods or Chattels shall be found, is hereby authorized to countersign or indorse,) to levy such Rate or Rates, or Proportion thereof as aforesaid, by Distress and Sale of the Goods and Chattels of such Person, rendering the Overplus, and the Goods and Chattels remaining unsold (if any), upon Demand, after Payment of the Money due in respect of such unpaid Rate or Rates, or Proportion thereof, and all Expences relating to the Recovery thereof, unto the Person or Persons whose Goods and Chattels shall have been so distrained and sold as aforesaid.

Power to follow Defaulters.

CXII. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, if they shall think fit, where no sufficient Distress can be made, to direct and cause an Action or Actions to be brought and prosecuted in any of His Majesty's Courts of Record at *Westminster*, for the Recovery of any of the said Rates or Assessments hereby authorized to be made; and upon Proof of the Demand made, and Refusal or Neglect of Payment of the Rate or Assessment for the Recovery whereof such Action or Actions shall be brought, the said Commissioners shall be entitled to a Verdict against the Defendant or Defendants in such Action or Actions.

If no Distress to be found, then the Commissioners may, if they think fit, recover by Action.

CXIII. Provided always, and be it further enacted, That nothing herein contained shall extend to charge, with any Rate or Assessment for the Purposes of this Act, the Owners or Inhabitants of any Houses or other Premises situate on the Side of the said Roads

Persons charged to any private or parochial Acts for watching, &c.

not to be again
charged.

Roads mentioned and described in the said Fifth and Eighth Parts of the said First Schedule hereto annexed, or within the aforesaid Distance of Two hundred or One hundred Yards from any Part thereof respectively, who now are or hereafter may be charged or chargeable in respect of such Houses or other Premises, with any Rate or Assessment for the Purpose of watching and lighting by or under the Authority of any private or parochial Act, other than the said Acts hereby repealed, or any House not fronting the said last mentioned Roads, any Thing herein contained to the contrary thereof notwithstanding.

Appeal against
Rates.

CXIV. And be it further enacted, That if any Person shall think himself or herself aggrieved by any Rate or Assessment to be made under or by virtue of this Act, or by any Thing done in pursuance of this Act, for which no other Method of Relief is hereby particularly appointed, such Person may appeal to the said Commissioners at any Meeting to be held by them, and the said Commissioners may give such Relief or make such Order in the Premises as to them shall seem proper; and in case the Party shall be dissatisfied, he may appeal to the Justices of the Peace at any General Quarter Sessions of the Peace to be holden in and for the County or Place where the Cause of Appeal shall have arisen, within Four Calendar Months next after the Order or Determination of the said Commissioners, such Appellant first giving Eight Days' Notice at the least in Writing of his or her Intention to bring such Appeal, and of the Matter thereof, to the Clerk to the said Commissioners, and within Four Days next after such Notice given, entering into Recognizance before some Justice of the Peace for the County, with Two sufficient Sureties, conditioned to try such Appeal and to abide the Order of the said Justices at such Quarter Sessions, and to pay such Costs (if any) as shall be awarded against him or her by the said Justices at such Quarter Sessions; and the Justices at such Sessions or at some Adjournment thereof upon due Proof of the Notice having been given, and of the entering into Recognizance in the Manner hereinbefore mentioned, shall hear and finally determine the Causes and Matters of every such Appeal in a summary Way, and shall award such Costs to the Parties appealing or appealed against as they the said Justices shall think proper; and the Determination of the said Justices at such Sessions or Adjournment shall be final, binding and conclusive to all Intents and Purposes.

Justices may
relieve, on Ap-
peal from
Rates, without
quashing the
whole Rate;

CXV. Provided always, and be it enacted, That in any Appeal from the said Rates or Assessments, or any of them, to be made by virtue of this Act, the Justices at the General Quarter Sessions to be holden for the said County or at any Adjournment thereof, shall and may amend the same in such Manner as may be necessary for giving Relief, without quashing or altering such Rates or Assessments with respect to other Persons mentioned therein; but if upon Appeal from the whole Rates or Assessments it shall be found necessary to set aside the same, then and in every such Case it shall and may be lawful to and for such Justices to order a new Rate or Assessment to be made in manner herein directed.

or may order
a new Rate.

CXVI. And Whereas by the said recited Acts of the Thirtieth Year of the Reign of His late Majesty King George the Third, the Eighteenth and Thirty ninth Years of the Reign of His late
Majesty

‘ Majesty King *George the Third*, and the First Year of the Reign of His present Majesty King *George the Fourth*, relating respectively to the Roads mentioned and described in the Fifteenth Part of the said First Schedule hereto annexed, and the said Bridge called *Lea Bridge*, it is provided and enacted, that an Annuity of One hundred and fifty Pounds should be paid to *Samuel Tyssen Esquire*, of *Narborough Hall* in the County of *Norfolk*, or the Person or Persons entitled to the Ferry in the said Acts mentioned, and called *Jeremy's Ferry*;’ Be it further enacted, That in lieu of the said Annuity, from and after the said First Day of *January* One thousand eight hundred and twenty seven, the Tolls by this Act authorized to be taken (other than and except the Tolls on the Roads mentioned and described in the Fifth, Sixth and Seventh Parts of the said First Schedule hereto annexed,) shall be subject and liable to the Payment of, and the said Commissioners shall from time to time, and at all Times hereafter, pay or cause to be paid out of the said Tolls, to the said *Samuel Tyssen Esquire*, his Heirs and Assigns, Proprietor or Proprietors for the Time being of the said Ferry called *Jeremy's Ferry*, by Four equal quarterly Payments in every Year, on the First Day of *April*, the First Day of *July*, the First Day of *October* and the First Day of *January* in every Year, without any Deduction or Abatement whatsoever, One clear Annuity or yearly Sum of One hundred and fifty Pounds; the First quarterly Payment of the said Annuity to be made on such One of the said Days as shall first occur after the last Payment of the Annuity which is now payable to the said *Samuel Tyssen Esquire*, under the said last mentioned Acts, as hereinbefore is mentioned.

Annuity of 150*l.* to be continued to Proprietors of *Jeremy's Ferry*.

‘ CXVII. And Whereas by the said recited Act of the Sixth Year of the Reign of His present Majesty, relating to the Roads mentioned and described in the First Part of the said First Schedule hereto annexed, it is enacted, that the Tolls and Duties by that Act granted and imposed should, for the Term of that Act, be charged with the Payment of the annual Sum of One thousand Pounds to the Committee of Paving of the Parish of *Saint George Hanover Square*;’ Be it further enacted, That in lieu of the said last mentioned Annuity, from and after the said First Day of *January* One thousand eight hundred and twenty seven, the Tolls by this Act authorized to be taken (other than and except the Tolls on the Roads mentioned and described in the Fifth, Sixth and Seventh Parts of the said First Schedule hereto annexed,) shall be subject and liable to the Payment of, and that the said Commissioners shall, from time to time, and at all Times hereafter, pay or cause to be paid out of the said Tolls, or other the Monies to be collected and received by virtue of this Act, to the said Committee of Paving of the said Parish of *Saint George Hanover Square*, the annual Sum of One thousand Pounds, free from all Deductions whatsoever, at the Times and in the Manner and for the Purposes mentioned in an Act passed in the Fifty third Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for more effectually paving, cleansing, lighting, watching and regulating certain Parts of Piccadilly and Park Lane, in the Parish of Saint George Hanover Square in the County of Middlesex, and also several Squares, Streets, Lanes and other public Passages*

Annuity of 1,000*l.* to be continued to the Committee of Paving of the Parish of *St. George Hanover Square*.

53 G.3. c.38.

Passages and Places within the said Parish, and for altering and enlarging the Powers of an Act of the Twenty ninth Year of His present Majesty relative to the above Purposes; and to the Poor of the said Parish; the First Payment of the said Annuity hereby granted to be made on such of the Days by the said last mentioned Act appointed for the Payment of the Annuity now payable as shall first occur after the last Payment of the said Annuity now payable.

‘ CXVIII. And Whereas by the said recited Acts passed in the
 ‘ First and Second Years of the Reign of His present Majesty,
 ‘ relating to the Roads mentioned and described in the Eighth
 ‘ Part of the said First Schedule hereto annexed, the Trustees
 ‘ acting under that Act were directed to pay to the Commis-
 ‘ sioners for watching and lighting the Parish of *Saint James*
 ‘ *Clerkenwell*, the yearly Sum of Twenty five Pounds, towards the
 ‘ Expence of lighting and watching the Street or Road from the
 ‘ End of *Compton Street* to *Clement's Buildings*, and also from the
 ‘ End of *Swan Alley* in *Goswell Street* to the End of *King Street*;
 Be it further enacted, That in lieu of the said yearly Sum of
 Twenty five Pounds, the said Commissioners shall every Year pay
 to the said Commissioners for watching and lighting the Parish
 of *Saint James Clerkenwell*, or to such Person as they shall appoint,
 the yearly Sum of Twenty five Pounds, by Two equal Half yearly
 Payments, on the Twenty fourth Day of *June* and the Twenty
 fifth Day of *December* in every Year, the First Payment to be
 made on the Twenty fourth Day of *June* One thousand eight hun-
 dred and twenty seven; such annual Sum of Twenty five Pounds
 to be paid out of the general Income of the said Commissioners
 acting under this Act, and not out of the Income of the Roads
 mentioned and described in the Fifth, Sixth or Seventh Parts of
 the said First Schedule.

Annuity of 25l.
 to Parish of
 St. James
 Clerkenwell to
 be continued.

All other An-
 nuities charged
 on Tolls of
 former Acts to
 be charged on
 Tolls to be col-
 lected under
 this Act.

CXIX. And be it further enacted, That all other Annuities
 which are charged upon and made payable out of the Tolls by the
 said Acts or any or either of them, authorized to be taken and
 collected, shall, from and after the said First Day of *January* One
 thousand eight hundred and twenty seven, be charged upon and
 payable out of the Tolls by this Act authorized to be taken and
 collected; and such of them, if any, as are charged upon the Tolls
 on the Roads mentioned and described in the Fifth, Sixth and Se-
 venth Parts of the said First Schedule hereto annexed, shall still
 remain respectively charged upon the Tolls by this Act authorized
 to be taken on the Roads mentioned and described in those Parts
 of the said First Schedule, and the other Income of the said Com-
 missioners from or in respect of those Roads respectively; and
 such of the said Annuities, if any, as are charged upon the Tolls
 on the other Roads mentioned and described in the said First
 Schedule hereto annexed, or any of them, shall be charged upon
 all the Tolls hereby authorized to be taken on all the Roads men-
 tioned and described in the said First Schedule, other than and
 except the Roads mentioned and described in the Fifth, Sixth and
 Seventh Parts of the said First Schedule; and the said last men-
 tioned Annuities shall be charged upon and payable out of the
 said Tolls *pari passu*, and not with any Priority the One over the
 other; and all the said several Annuities hereby made payable
 (except

(except where the Days and Times of Payment are hereby expressly pointed out) shall be payable for the same Periods respectively, at the same Days, in the same Proportions, to the same Persons respectively, and subject to the same Powers and Provisions in every respect as they would have been respectively in case the said respective Acts had not been repealed, and shall be considered to all Intents and Purposes as the same subsisting Annuities, only charged upon a different Fund.

CXX. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners acting under this Act, with the Consent of the Person or Persons for the Time being entitled thereto, to redeem the said Annuities of One hundred and fifty Pounds, One thousand Pounds, and Twenty five Pounds, and all or any other of the Annuities charged upon the Tolls hereby authorized to be taken, and to agree for the Redemption thereof upon such Terms as the said Commissioners shall think proper, and to raise any Sums by way of Mortgage, for the Purpose of enabling them to redeem the said Annuities or any of them, or any Part thereof respectively; and the Monies to be paid for the Redemption of any of the said Annuities which are charged upon the Tolls on the Roads mentioned and described in the Fifth, Sixth and Seventh Parts of the said First Schedule hereto annexed, shall be paid out of the Income of the said Commissioners for or in respect of the said last mentioned Roads respectively; and any Monies which may be raised by way of Mortgage for redeeming any or any Part of such last mentioned Annuities, shall be raised on the Tolls of the said last mentioned Roads respectively, and the other Income of the said Commissioners in respect of such Roads respectively; and the Monies to be paid for the Redemption of any other of the said Annuities shall be paid out of the other and general Income of the said Commissioners; and any Monies which may be raised by way of Mortgage for redeeming any or any Part of the said last mentioned Annuities, shall be raised on the Tolls of all the Roads mentioned and described in the said First Schedule hereto annexed, other than and except the Roads mentioned and described in the Fifth, Sixth and Seventh Parts of the said First Schedule.

CXXI. And be it further enacted, That the said Commissioners shall, as soon as conveniently may be after the passing of this Act, cause an Account to be taken of all principal Sums of Money secured by way of Mortgage, or by means of Bonds or otherwise, on the Credit of the Tolls or Rates by the said Acts hereby repealed respectively authorized to be taken or levied; and if the said Commissioners shall deem it necessary for that Purpose, shall cause Advertisements to be inserted in the *London Gazette*, and Four daily and weekly Newspapers published in *London* or *Middlesex*, requiring all Persons claiming to be entitled to any Sums or Sum of Money charged by way of Mortgage or by means of Bonds or otherwise on the said Tolls authorized to be collected by the said Acts hereby repealed, to send in to the said Commissioners, or to some Person or Persons to be appointed by them in that Behalf, on or before a Day to be named in the said Advertisements, such Day being at least Thirty Days before the Day hereinafter fixed for declaring such Option as hereinafter mentioned, not being

Commissioners
empowered to
redeem Annu-
ities charged
on Tolls.

Repealed

Commissioners
to ascertain
Amount of
Sums due on
Credit of Tolls
under former
Acts; and if
necessary, to
advertise for
Particulars of
such Claims.

sooner than Three Months from the Date and Time of Insertion of the first of such Advertisements, the Particulars of their respective Claims, in order that the same may be examined, and the Amount thereof, at the Option of such Mortgagees or other Creditors, either paid to them forthwith, or secured, in manner hereinafter mentioned, by Mortgage of the Tolls by this Act authorized to be collected.

Persons having Security on Tolls to have their Option of being paid off, or of receiving Security under this Act.

CXXII. And be it further enacted, That the Persons entitled to any Sums of Money secured by Mortgage, Bonds or otherwise, under or by virtue of the said Acts hereby repealed, or the said General Turnpike Acts, on the said Tolls by the said recited Acts authorized to be taken, other than the Tolls authorized to be taken on the Roads mentioned and described in the Fifth, Sixth and Seventh Parts of the said First Schedule, shall have the Option either to have the Money so secured, together with all Interest then due thereon, forthwith paid off and discharged, or to have such Mortgages as hereinafter mentioned, of the Tolls by this Act and the said General Turnpike Acts authorized to be collected and taken, executed to them by the said Commissioners in lieu of their respective Securities upon the Tolls by the said repealed Acts authorized to be taken, and shall declare such Option by some Writing under their respective Hands, to be addressed to the said Commissioners.

In cases of Infants, Lunatics or partial Interests, Option to be declared by the Guardians, Committees, &c.

CXXIII. And be it further enacted, That where the Person entitled to any Sum of Money secured on the said Tolls by the said repealed Acts authorized to be taken shall be an Infant or Person of nonsane Memory, or where any such Sum of Money, by reason of any Will or Settlement or otherwise, shall not belong absolutely to any one Individual, then and in either of the said Cases the Guardian or Guardians of such Infant, or the Committee or Committees of such Person of nonsane Memory, or the Person entitled to the first Life Interest in such Sum of Money, as the Case may be, shall be entitled to exercise such Option as aforesaid, whether to have the said Sum paid off or secured on the said Tolls by this Act authorized to be taken.

If no Option declared, Persons to be considered as electing not to be paid off.

CXXIV. And be it further enacted, That in all Cases where, from the Person or Persons entitled to any Sum of Money secured on the said Tolls by the said repealed Acts authorized to be taken being absent, or from Two or more Persons being so entitled and not agreeing amongst themselves, or from Neglect or any other Cause, such Option as hereinbefore is given shall not be declared on or before the First Day of July One thousand eight hundred and twenty seven, the Person or Persons entitled to such Sum of Money shall be considered to have elected not to have the same paid off, but to have the same secured by a Mortgage, in manner hereinafter mentioned, of the Tolls by this Act authorized to be taken.

Commissioners to examine the Validity of Claims sent in, and to give Information to Creditors.

CXXV. And be it further enacted, That the said Commissioners shall cause the Validity of all Claims which shall be sent in to them in pursuance of the aforesaid Provisions to be inquired into and examined, and the Total Amount and Particulars of such Claims to be ascertained, and shall give any Information, both as to the Amount of the said Claims and the probable annual Amount of the Tolls by this Act authorized to be collected, and the other

Revenues

Revenues and the Expences of the said Commissioners, which may be required by any of the said Mortgagees or other Creditors, for the Purpose of enabling them to come to a satisfactory Determination in making such Option as is hereby given them.

CXXVI. And be it further enacted, That when the said Commissioners shall have ascertained the Amount of the Sums which will be required for the Payment of the Sum or Sums of Money secured on the Tolls by the said repealed Acts authorized to be taken, and which the Parties entitled thereto shall have declared their Option to have paid off forthwith pursuant to the Provisions for that Purpose herein contained, the said Commissioners may and they are hereby authorized to apply for the Loan of the Whole or any Part of such Amount to the Commissioners for carrying into execution an Act passed in the Fifty seventh Year of the Reign of His late Majesty King George the Third, intituled *An Act to authorize the Issue of Exchequer Bills and the Advance of Money out of the Consolidated Fund to a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in Great Britain*, and several subsequent Acts for extending and amending the Powers for the issuing of Exchequer Bills for Public Works; and in case the said last mentioned Commissioners (who are hereinafter called "The Commissioners for issuing Exchequer Bills") shall lend and advance to the said Commissioners acting under this Act such Sum or Sums as shall be specified in the Application of the said last mentioned Commissioners, either in Cash or Exchequer Bills, the said last mentioned Commissioners shall secure to the said Commissioners for issuing Exchequer Bills the Amount of the Sum or Sums to be so advanced, with such Interest thereon as hereinafter is mentioned, by Mortgage of the Tolls by this Act authorized to be collected, such Mortgages to be made pursuant to the Provision of the said last recited Acts: Provided always, that nothing in the said Acts or in this Act contained shall require the said Commissioners acting under this Act to enter into any Security, by Bond or otherwise, for the Repayment of any such Sum or Sums of Money by them personally, but that every such Advance of Money without any such personal Security shall be good, valid and effectual, and the Commissioners lending and advancing the same shall be and are hereby as fully authorized and empowered to lend and advance the same, and shall be and are hereby as fully indemnified in so doing, as if any such personal Security had been given or taken for the Repayment thereof; any Thing in the said last mentioned Acts or any other Act to the contrary in anywise notwithstanding.

CXXVII. And be it further enacted, That Interest shall be paid on the Amount of the Money so to be advanced by the said Commissioners for issuing Exchequer Bills to the Commissioners acting under this Act, or on so much thereof as shall for the Time being remain due and unpaid, after the Rate of Five Pounds *per Centum per Annum*, any Thing in the said Acts for the issuing of Exchequer Bills, or any of them, to the contrary notwithstanding; and the principal Money so advanced shall be repaid by means of a Sinking Fund, to be established as directed by the said last mentioned Acts or any of them: Provided always, that nothing in the

Commissioners for the Issue of Exchequer Bills may advance the Money required for paying off such Claims.

For Payment of Interest and Principal.

Nothing in this Act to authorize an Advance on the Tolls.

Commissioners may borrow of private Individuals instead of the Commissioners of Exchequer Bills.

Commissioners to pay off Creditors desirous of being paid off, and to execute Mortgages to those not desirous of being paid off.

Such Mortgages to be free of Stamp Duty.

said Acts or in this Act contained shall authorize or be construed to extend to authorize the said Commissioners acting under this Act to make any Order for laying on, or to collect or demand any additional Tolls over and above the Tolls mentioned in the said Second Schedule hereto annexed, or any additional Rates over and above the Rates hereinbefore authorized to be collected.

CXXVIII. Provided always, and it is hereby enacted, That it shall be lawful for the said Commissioners acting under this Act, if they shall be able and shall think proper so to do, instead of applying to the said Commissioners for issuing Exchequer Bills in manner aforesaid, to borrow of any Person or Persons, or Body or Bodies Politic or Corporate, other than the said Commissioners for issuing Exchequer Bills, on Mortgage (pursuant to the Provisions of the said General Turnpike Acts) of the Tolls by this Act authorized to be taken, the Whole or any Part of the Amount which will be required for the Payment of the Sum or Sums of Money secured on the Tolls by the said repealed Acts authorized to be taken, and which the Parties entitled thereto shall have declared their Option to have paid off forthwith, pursuant to the Provisions for that Purpose herein contained.

CXXIX. And be it further enacted, That the said Commissioners shall, as soon as conveniently may be after the said First Day of *July* One thousand eight hundred and twenty seven, pay to the Persons entitled to any Sums secured on the Tolls by the said repealed Acts authorized to be taken, and desirous of having the same paid off forthwith, the Amount of such principal Sums, together with Interest thereon, at such Rate of Interest as they shall respectively bear, from the Time to which the Interest thereon shall have been then already paid up to the Time of Payment of such principal Sum; and shall execute to the Persons entitled to any Sums secured on the Tolls by the said repealed Acts authorized to be taken, and not desirous of having the same paid off forthwith, or to such Persons as they shall respectively appoint, Mortgages of the Tolls by this Act authorized to be taken, and of the Toll Houses, Gates, Bars, Weighing Machines and other Property necessary for collecting the same, for securing to the said Persons respectively the principal Sums to which they shall respectively be so entitled, with Interest thereon, at such Rate of Interest as they shall respectively bear, from the Time up to which such Interest shall have been paid, such Interest to be made payable at the Days and Times at which it is payable under and by virtue of the existing Mortgages, Bonds or other Securities, and the Mortgages to be executed by the said Commissioners as aforesaid to be either in the Form prescribed by the said General Turnpike Acts, or in any other Form which to the said Commissioners and to the intended Mortgagees respectively shall seem more convenient or proper.

CXXX. And be it further enacted, That no Mortgage to be executed by the said Commissioners in manner aforesaid, either as a Substitution for or in order to raise Money for paying off and discharging any Mortgage or other Security now existing and by the said repealed Acts authorized to be taken, shall, if the said former Mortgage shall have been duly stamped, be liable to or charged with the Payment of any Stamp Duty; any Thing in any Act

Act of Parliament to the contrary thereof in anywise notwithstanding.

CXXXI. And be it further enacted, That where any Infant or Person of nonsane Memory shall be entitled to any Sum of Money, to be payable under the Provisions hereinbefore contained, or where the Mortgage, Bond or other Security, in respect of which such Sum shall be payable, shall, by any Deed, Will or otherwise, have been settled, limited or given to or upon or for the Benefit of Persons not taking absolute Interests therein, the same shall be paid to the Guardian or Guardians of such Infant, the Committee or Committees of such Person of nonsane Memory, or the Trustees in whom such Mortgage, Bond or other Security shall be vested, as the Case may be; and the Receipts of such Guardians, Committees and Trustees shall be sufficient Discharges to the said Commissioners, and shall exonerate them from being liable for the Misapplication or Nonapplication of the Sums mentioned in such Receipts; and in the Instance last mentioned, if there shall be no Trustee in whom such Mortgage, Bond or other Security shall be vested, the Sum of Money shall be paid into the Bank of England, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* the Commissioners appointed or to be appointed by or under this Act, pursuant to the Method prescribed by an Act made in the First Year of the Reign of His present Majesty King George the Fourth, intituled *An Act for the better securing the Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; and shall, when so paid in, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and the said Consolidated or Reduced Bank Annuities, and the Dividends thereof, shall be transferred and paid respectively, by Order of the said Court (such Order to be made upon Petition to be presented in a summary Way), to the Persons who would have been respectively entitled to the Principal and Interest of the Money in discharge of which the same shall have been so paid, in case this Act had not been passed, and in the like Manner in which such Persons would have been respectively entitled to the Principal and Interest of the said Money; and the Receipt of the Cashier or Cashiers of the Bank (which Receipt the said Cashier or Cashiers is and are hereby required to give) shall be a sufficient Discharge to the said Commissioners for the Sum so paid in.

Provision for Payment of Money to which Infants may be entitled.

1 G. 4. c. 35.

CXXXII. And be it further enacted, That all the several Mortgages to be executed in manner aforesaid by the said Commissioners, either as a Substitution for or in order to raise Money for paying off and discharging any Sum secured by Mortgage, Bond or other Security on the Tolls by the said repealed Acts authorized to be taken, shall be considered as standing *pari passu*, and as entitled to no Priority the one over the other, but the several Mortgagees shall be Tenants in common of the said Tolls hereby authorized to be taken, and of the Toll Houses, Gates, Bars,

Mortgages to be made as aforesaid, to be entitled to no Priority one over the other :

Weighing Machines and other Property comprised in their respective Mortgages, and their several Shares therein shall be proportionate to the Amount of the Sums secured by their respective Mortgages ; any Thing in the said recited Acts for issuing Exchequer Bills to the contrary notwithstanding.

but to have
Priority over
subsequent
Mortgages ;
and subsequent
Mortgages to
have Priority
over one an-
other, unless
Provision is
made to the
contrary.

CXXXIII. Provided always, and be it further enacted, That all the several Mortgages to be executed in manner aforesaid by the said Commissioners, either as a Substitution for or in order to raise Money for paying off or discharging any Sum secured by Mortgage, Bond or other Security on the Tolls by the said repealed Acts authorized to be taken, shall have a Priority over every subsequent Mortgage which may hereafter be executed by the said Commissioners under the Powers of the said General Turnpike Acts, of the said Tolls by this Act authorized to be taken ; and all such subsequent Mortgages shall have Priority the one over the other of them, according to their respective Dates and Times of Execution (unless Provision to the contrary shall be expressly inserted in any such Mortgage, declaring that it shall not be entitled to Priority over any future Mortgage or Mortgages, and that either generally or specifying the particular Amount of such future Mortgage or Mortgages) ; and all such subsequent Mortgages shall be either in the Form prescribed by the said General Turnpike Acts, or in any other Form which the said Commissioners may think more suitable, any Thing in the said General Turnpike Acts to the contrary notwithstanding ; and all Mortgages to be made by virtue of this Act, either for the Purposes hereinbefore particularly mentioned, or for any other Purpose, shall be subject and without Prejudice to the several Annuities by this Act charged upon the said Tolls.

Application of
Tolls and other
Monies.

CXXXIV. And be it further enacted, That all and every the Tolls by this Act and by the said General Turnpike Acts authorized to be taken on the said Roads mentioned and described in the said First Schedule hereto annexed, and the Rates and Assessments by this Act authorized to be made and levied, shall be vested in the said Commissioners ; and the Sums arising therefrom, and from any Trust Estates, and all other Sums which by virtue of this Act or of the said General Turnpike Acts shall be payable to the said Commissioners, shall, subject and without Prejudice to the Provision hereinbefore contained for keeping distinct the Income and Expenditure of the Roads mentioned and described in the Fifth, Sixth and Seventh Parts of the said First Schedule, be applied for the Purposes and in the Manner following ; (that is to say,) First, in paying the Expences of procuring and passing this Act ; Secondly, in paying the several Annuities and the Interest of the several Sums by this Act charged or directed to be charged upon or made payable out of the said Tolls, Rates and Assessments, and other Monies ; Thirdly, in amending, widening, paving, draining, maintaining and repairing and keeping in repair, according to the Provisions of this Act and of the said General Turnpike Acts, the said Roads mentioned and described in the said First Schedule hereto annexed, and in erecting, removing, altering and repairing Toll Gates, Toll Houses, Weighing Machines and other Erections necessary for the due collecting of the Tolls hereby authorized to be taken, and in watering, watching and lighting such

of the said Roads as the said Commissioners are hereby empowered and shall think it proper to watch, water and light, and in defraying all necessary Costs, Charges and Expences attending the Execution of this Act and of the said General Turnpike Acts, in such Manner as the said Commissioners shall direct ; and lastly, in paying off the Principal Sums by this Act charged or directed to be charged upon, or which may hereafter, under the Powers of this Act or of the said General Turnpike Acts, be borrowed upon the Security of the said Tolls.

CXXXV. And be it further enacted, That the said Commissioners shall cause all Sums of Money whatsoever which shall be from time to time receivable by them for the Purposes of this Act, either from or on account of Tolls on the said Roads, or from the Rates and Assessments hereby authorized to be made, or from any Trust Estates which may be vested in them under and by virtue of this Act, or from any other Source whatsoever, to be paid into the Bank of *England*, to the Account of the said Commissioners.

Money to be paid into the Bank ;

CXXXVI. And be it further enacted, That no Monies to be drawn for the Purposes of this Act out of the Bank of *England* shall be drawn for, unless a Resolution shall have been previously passed for that Purpose by a General Meeting, either annual or special, of the said Commissioners ; and all Monies so drawn for shall be drawn for by an Order or Check on the Bank, to be signed by the Chairman of the Meeting at which the Resolution for drawing for the same shall have passed ; and every such Order or Check shall state the Day and Place of the Meeting at which the Resolution was passed.

and to be drawn out by Check, pursuant to Resolutions of General Meetings.

CXXXVII. And be it further enacted, That it shall be lawful for the said Commissioners, if at any Time they shall think proper so to do, to direct that any Part of the Balance belonging to them in the Bank of *England* shall be invested in Navy or Exchequer Bills, or any other Government Security, in order that Interest may be made thereof until it should be wanted for the Purposes of this Act.

Part of the Balance may be invested in Exchequer Bills.

CXXXVIII. And be it further enacted, That the said Commissioners shall cause to be prepared, previously to the General Meeting in the Month of *April* in every Year, a full and complete Report of such of their Receipts and Disbursements, up to the Twenty fifth Day of *March* then last past, as shall not have been included in any preceding Report, and also of the Particulars and Amount of their Funds and Property, and of the State and Condition of the several Roads and other Property vested in them ; and at the General Meeting to be held in the Month of *April* such Report shall be carefully examined and compared with the Accounts and Vouchers from which the same shall have been drawn, and by which the same shall be supported, and when allowed and approved of by the said General Meeting, shall be signed by the Chairman, in testimony of such Allowance and Approbation ; and a printed Copy of every such Report, when so allowed and approved, shall be sent to each of the said Commissioners.

Annual Reports of Receipts and Disbursements to be prepared and sent to each Commissioner ;

CXXXIX. And be it further enacted, That a Copy of every such Report shall be laid before both Houses of Parliament within Fourteen Days after such Report shall have been so allowed and approved, or within Fourteen Days after the First Meeting of Par-

liament and a Copy thereof laid before both Houses of Parliament.

liament for the Dispatch of Business next after the Allowance and Approval of such Report; but it shall not be necessary to transmit any Copy of such Report, or any Statement of the Accounts of the said Commissioners, to the Clerk of the Peace for the County of *Middlesex*, or of any other County; any Thing in the said General Turnpike Acts to the contrary notwithstanding.

No Buildings to be erected within 50 Feet of the Sides of the New Road.

CXL. And be it further enacted, That no Building whatsoever shall be erected on any new Foundation, by any Person or Persons whomsoever, upon any of the Lands adjacent to the Road leading from the *Edgeware Road* near *Paddington*, to the Great Northern Road in *Islington*, (which Road is partly described in the Fifth and partly in the Eighth Part of the said First Schedule hereto annexed,) and from the North End of *Great Portland Street* to such Road, within Fifty Feet from the Side of the said Road, other than such Toll Houses and Watch Houses as shall or may be erected or continued by virtue of this Act (and other than and except Houses or Buildings to be erected upon any Part of the North Side of the Road extending Eastward from a Lane called *Maiden Lane* to the Gate called *The Bell Gate*, both in *Battlebridge* in the County of *Middlesex*); and that no Part of the said Roads shall be paved, except under the Powers and Provisions of this Act; and that if any Building shall be so erected, or any Pavement laid down on the said Roads or either of them, contrary to the true Intent and Meaning of this Act, the same shall be deemed common Nuisances.

Preventing the Erection of Buildings within 40 Feet of the Sides of the City Road.

CXLI. And be it further enacted, That no Building shall be erected on any new Foundation within Forty Feet of the Road mentioned and described in the Ninth Part of the said First Schedule hereto annexed, on either Side thereof, from a certain House situate within the Line of the said Road, formerly in the Occupation of *John Read*, situate on the East Side of the said Road, upon an old Cartway, to the End of *Goswell Street Road* next *Islington*; and that no Shop, Stall, Shed or other Building, on Wheels or otherwise, shall be erected or set up within the like Distance of the said Road; and that it shall and may be lawful to and for the said Commissioners or their Surveyor, or other Person or Persons duly authorized by them for that Purpose, to take down and remove all such Buildings, Shops, Sheds or Stalls, which are or shall be erected, built or placed by any Person or Persons within the Distance of Forty Feet on either Side of the said Road, from the said House formerly in the Occupation of *John Read*, situate on the East Side of the said Road, to the End of *Goswell Street* next *Islington*; and every such Erection, Building, Shop, Shed or Stall so erected, built or placed, contrary to the true Intent and Meaning of this Act, shall be deemed and considered a common Nuisance.

No Building to be erected or Tree planted within 30 Feet of the Centre of the Kilburn Road.

CXLII. And be it further enacted, That no Person shall erect or cause to be erected any Dwelling House or other Building, or shall plant or set to grow any Tree or Shrub, within the Distance of Thirty Feet from the Centre of the Road mentioned and described in the Seventh Part of the said First Schedule hereunto annexed (except Turnpike Houses erected or to be erected by Order of the said Commissioners, or unless the said Commissioners shall consent or agree thereto, or that the same shall remain); and in case any Person shall erect or cause to be erected any such Dwelling

Dwelling House or other Building, or plant or set to grow any such Tree or Shrub, without such Consent as aforesaid, every Person so offending shall forfeit for every such Offence any Sum not exceeding Five Pounds; and it shall be lawful for the said Commissioners to cause such Dwelling Houses, Buildings, Trees or Shrubs to be pulled or cut down at the Expence of the Person or Persons to whom the same shall belong; and in case the Owners or Occupiers thereof shall neglect or refuse to pull down or remove the same at the Expiration of One Month after Notice in Writing, signed by the Clerk to the said Commissioners, shall be given to them, or left at their Dwelling House or Place of Abode of such Owners or Occupiers, it shall and may be lawful for any Two or more Justices of the Peace in and for the County in which such Offence shall be committed, upon Proof thereof to him or them made upon Oath, to grant Warrants of Distress for levying, as well the Expences of taking down such Dwelling Houses, Buildings, Trees and Shrubs as aforesaid, as the Penalty hereby imposed, by Distress and Sale of the Offender's Goods and Chattels, the Overplus (if any) to be rendered to the Owner on Demand.

CXLIII. And be it further enacted, That no Person or Persons shall burn or cause to be burnt any Bricks, Tiles or Bones within the Distance of One hundred and fifty Yards of any Part of the said Roads mentioned and described in the Fifth Part of the said First Schedule hereto annexed; and if any Person shall offend against this Provision, after Notice shall have been given in Writing to him, her or them, or left at his, her or their Dwelling House or last usual Place of Abode, by the Surveyor of the said Roads, or any Person appointed for that Purpose by the said Commissioners, every such Person shall, for every Day that he, she or they shall continue to burn or cause to be burnt any Bricks, Tiles or Bones, after such Notice so given or left, forfeit and pay the Sum of Forty Shillings, to be levied and applied as other Penalties and Forfeitures are in and by this Act directed to be levied and applied.

No Bricks, &c.
to be burnt
within 150
Yards of the
Mary le bone
Road.

CXLIV. And Whereas there are several Fields or Pieces of Land lying by the Side of the said Roads mentioned and described in the Tenth Part of the said First Schedule hereto annexed, Part whereof is dug out and other Parts now digging for Brick or Tile Earth, and it is proper the same should be fenced off from the said Roads, to prevent Accidents to Passengers; Be it therefore enacted, That it shall be lawful for the said Commissioners to direct the Owners and Occupiers of all such Lands lying or being on the Sides of any Part of the said last mentioned Roads, or the Footpaths thereto adjoining, as are already dug or cut out, or are now digging or cutting out, for Bricks or Tile Earth, within One Calendar Month then next, to make a good, safe and sufficient Fence for separating the same from the said Roads or the Footpaths thereto adjoining, for the Safety of Passengers travelling thereon; and no Person shall hereafter dig or begin to dig or cut out, for Brick or Tile Earth, any Field or Piece of Land or Ground on the Sides of any Part of the said last mentioned Roads or the Footpaths thereto adjoining, until he or she so digging or cutting out such Land, or causing the same to be dug or cut out, shall have made or erected a good and sufficient Fence for

Brickmakers to
make Fences
on the Sides of
the Roads.

for separating the same from the said Roads and the Footpaths thereto adjoining; and in case any such Owner or Occupier shall neglect or refuse to make such good and sufficient Fence for the Space of One Calendar Month after such Notice as aforesaid, or shall begin to dig or cut out such Land without making such Fence as aforesaid, or shall, after any such Fence shall be erected, so neglect to repair and amend any broken or insufficient Part thereof for the Space of Fourteen Days after Notice thereof shall be given to or left at the usual Place of Abode of such Owner or Occupier, under the Hand of the Surveyor to the said Commissioners, then and in either of the said Cases it shall be lawful for the said Commissioners, at the Expence of the said Owner or Occupier, to cause such Fence to be erected and set up on the said Land so dug or cut out, or begun to be dug or cut out, as the said Commissioners shall think proper, for the Purpose of separating such Lands from the said last mentioned Roads or the Footpath adjoining thereto, and for the Safety of Passengers travelling thereon; and also at the Expence of such Owner or Occupier to cause such Repairs and Amendments as the said Commissioners shall think fit and proper to be made to such Fence as shall be so out of repair and insufficient; and shall and may ask, demand, recover and receive of such Owner or Occupier the Costs and Charges of erecting, putting up, repairing or amending such Fence, and that such Costs and Expences shall be and are hereby made and declared to be a Charge upon the Land so dug or cut out, or begun to be dug or cut out as aforesaid, and the said Commissioners shall and may and are hereby vested with the same Powers or Authorities for recovering the same by Distress and Sale on the said Premises, as are by Law given for the Recovery of any Rent or Arrears of Rent.

No Ground
within Three
Yards of the
Road to be dug
or undermined.

CXLV. Provided always, and it is hereby further enacted, That no Owner, Proprietor or Tenant of any Land or Ground, or any other Person or Persons, shall dig or undermine any such Land or Ground within the Distance of Three Yards from the Sides of the said last mentioned Roads, or any of them, or within the Distance of One Yard from the Side of any Foot or raised Path for the Convenience of Foot Passengers along or by the Sides of any of the said last mentioned Roads; and that if any such Owner, Proprietor or Tenant, or other Person or Persons as aforesaid, shall so offend against this Act, he, she or they shall forfeit and pay to the Treasurer of the said Commissioners for the Time being any Sum or Sums not exceeding Five Pounds for each and every Square Foot of such Land or Ground so dug or undermined as aforesaid; and that the Amount of such Penalty or Penalties, Sum or Sums, shall and may be recovered in the same Manner as any other Penalty or Sum of Money is by this Act directed or authorized to be recovered, and that such Amount shall be applied by the Treasurer of the said Commissioners for the Time being for and towards the Purposes of this Act.

CXLVI. And for the better preventing and removing Encroachments and Annoyances in and upon the said Roads, Footpaths and Causeways mentioned and described in the said First Schedule hereto annexed; Be it further enacted, That if any Owner or Occupier of any Lands, Tenements or other Premises

adjoin-

For preventing
Encroachments

adjoining to the said Roads and Footpaths shall refuse or neglect, by the Space of Forty eight Hours after Notice in Writing given to him or her, or left at his or her usual Place of Abode, under the Hand of the Surveyor of the said Roads, or of any Surveyor appointed by virtue of the said General Turnpike Acts or of this Act, to pull down or take away any Encroachment, Posts, Rails, Stallboards, Signs, Sign Posts, Sign Irons, Penthouses, Showboards, Spouts and Gutters, Water Butts or Tubs, Porters Blocks or resting Places, Chopping Block, Showboard on Hinges or otherwise, Basket, Wares, Merchandize, Casks or Goods of any Kind whatsoever, or other Annoyances projecting into, over or upon, or discharging themselves upon the said Roads or Footpaths; or if any Person or Persons shall suffer his or her Sink or Drain to run into the said Roads, or on the said Footpaths, or shall throw, cast or lay, or cause, permit or suffer to be thrown, cast or laid, any Timber, Stone, Hay, Straw, Dust, Dirt, Ashes, Rubbish, Grains, Compost, Dung or other Filth or Annoyance, into or upon the said Roads, Causeways or Footpaths, or into or in any of the Ditches, Drains or Watercourses thereto belonging; or if any Occupier or Occupiers of Houses or Shops on the Sides of the said Roads, or any other Person or Persons, shall expose to public View, for Sale or otherwise, upon the said Roads, Footpaths, Causeways or Ground between the Carriage Road and Footpaths, any Goods, Wares or Merchandize, or any Butcher's Meat, Fish, Fruit, Vegetables or other Matter or Thing whatsoever (except in a Dwelling House or Shop), or shall inclose or make any Encroachment on any Waste Lands or Grounds lying on the Sides of the said Roads or Footpaths, and over which the King's Subjects have been used and accustomed to pass, or shall obstruct or incommode, hinder or prevent, the free Passage of any Footway or Causeway, or shall leave open any Cellar Flap or Flaps within Ten Yards from the Sides of the said Roads; it shall be lawful for such Surveyor, or for any Person by him or them employed, to abate or pull down and take away any such Encroachment or Nuisance, and to remove such Timber, Stones, Hay, Straw, Dust, Dirt, Ashes, Rubbish, Grains, Compost, Dung or other Filth or Annoyance, and also such Goods, Wares, Flaps, Merchandize, Butcher's Meat, Fish, Fruit, Vegetables or other Matter or Thing whatsoever, from the said Roads, Causeways and Footpaths, or the Sides thereof, or from the said Ditches, Drains or Watercourses; and in any of the said Cases, by a Warrant under the Hand and Seal of any Justice of the Peace for the County of *Middlesex*, to levy the Charges thereof (the same being first settled and ascertained by such Justice) by Distress and Sale of the Goods and Chattels of such Owner or Occupier, or other Person or Persons, rendering upon Demand to the Person whose Goods and Chattels shall be so distrained and sold the Overplus (if any), after deducting the Charges of such Distress and Sale; and every Person or Persons who shall have permitted or suffered his or her Sink or Drain to run into the said Roads, or on the said Footpaths, or any Part thereof, or who after the Abatement or Removal of any Encroachment or Annoyance as aforesaid by him or her made, caused or permitted, shall again offend in the like Manner, shall forfeit and pay any Sum not exceeding the Sum of Five Pounds, over and above

For preventing
various Nui-
sances and Ob-
structions.

above the Charges of removing every such Encroachment and Annoyance, to be settled and ascertained as aforesaid.

CXLVII. And be it further enacted, That if any Person shall, upon any of the Footpaths adjoining the Roads mentioned and described in the said First Schedule hereto annexed, run, draw, drive or carry any Truck, Wheel, Sledge, Wheelbarrow, Handbarrow, Bier or Carriage whatsoever, or roll any Cask or Tub other than for the necessary loading or unloading thereof, unto, upon, from or out of any Carriage or Cart, or wilfully ride, lead or drive any Horse or other Beast or Cattle whatever, on any of the said Footpaths, or wilfully permit or suffer any Horse or other Beast or Cattle which such Person may be riding, driving or leading, to go thereon, or shall tie or fasten any Horse or other Cattle to any House, Wall, Fence, Post or other Thing whatsoever across any of the said Footpaths; or if any Person driving any Coach, Waggon, Wain, Dray, Cart, Sledge or other Carriage, and meeting another Horse, Coach, Waggon, Wain, Dray, Cart, Sledge or other Carriage, shall not keep on the Left or Near Side of the Road, so as to leave proper and sufficient Quarter; or if any Person shall set any Cask, Tub, Pail, Bucket, Stool, Bench, Showboard, Chopping Block, Basket or Stall on or in the said Footpaths, or erect, set up, put or place any Blind, Shade, Coverlet or Awning, or any other Matter or Thing, so as in any way to cause any Obstruction or Impediment in or upon the Footpaths; or shall in or upon any Part of the said Roads or Footpaths hoop, fire, cleame, wash or scald any Cask or Tub, or hew, saw or cut any Stone, Wood or Timber, or bore any Timber; or make or repair, or wash or clean any Coach, Chaise, Waggon, Sledge or other Carriage, or the Wheel, Body, Springs or other Part of any Coach, Chaise, Waggon, Sledge or other Carriage, except such as may want immediate Repair from any sudden Accident on the Spot, and which cannot be conveniently removed for that Purpose, and also except for the necessary Time of any Stage Coach, Hackney Coach or other Carriage let for Hire taking up and setting down any Fare, or waiting for Passengers when actually hired; or shoe, bleed or farry any Horse or other Beast (unless in case of sudden Accident), or clean, dress, drive or turn loose any Horse or other Beast or Cattle, or show or expose to Sale any Horse or other Beast; or kill or slaughter, or scald, singe, dress or cut up any Animal, either wholly or in part, or cause or permit any Blood to run from any Slaughter House, Butcher's Shop or Shamble, into the said Roads or Footpaths; or shall sell or assist in selling by Auction or Public Sale any Cattle, Goods, Wares, Merchandize or Thing or Things whatsoever, or hang up, place or expose to Sale, or cause or permit to be hung up, placed or exposed to Sale any Goods, Wares or Merchandizes whatsoever, or any Fruit, Vegetables or Garden Stuff, Butcher's Meat, Offal or other Matter or Thing, in or upon or so as to project over or upon the said Footpaths or Roads, or to obstruct or incommode the Passage of any Person or Carriage; or leave open after Sunset and before Sunrise the Door or Window of any Area, Cellar or other underground Room or Apartment, or Openings leading to any Buildings or Premises, without having placed or left a sufficient Light therein to warn Persons passing on the Road or Footpath; or throw at any Cock

Cock or Fowl in the Manner called Cockthrowing, or set up any Cock or Fowl to be thrown at in such Manner, or play at Football or at any other Game, to the Annoyance of any Inhabitant or Inhabitants, Passenger or Passengers; or shall wilfully break, aid or abet, or assist in wilfully breaking any Glass or Window Panes or Windows in or belonging to any Dwelling House or Building; or cause, make or assist in making any Bonfire, or wantonly discharge or fire off any Gun, Pistol or Blunderbuss, or other Fire Arms, or let off, set fire to or throw any Cracker, Squib, Rocket or other Firework, or shall occasion any Kind of Obstruction or Annoyance in or upon any of the said Roads or Footpaths; or shall obstruct or incommode, hinder or prevent the free Passage of any Footway or Causeway, or prejudice or annoy in any Manner whatsoever any Person or Persons travelling, passing or going thereon, then and in every such Case every Person so offending shall for every Offence forfeit and pay any Sum not exceeding Five Pounds; and it shall and may be lawful to and for any Constable or other Peace Officer, or any One of the said Commissioners, or any Officer or other Person acting by or under their Authority, by virtue of this Act, and without any Warrant whatsoever, to seize and apprehend any such Offender or Offenders as aforesaid, and forthwith to convey him, her or them before some Justice or Justices of the Peace for the said County of *Middlesex*, in order to his or their Conviction of such Offence.

CXLVIII. And be it further enacted, That not only shall the said Penalties lastly enacted become payable and be recovered, but it shall and may be lawful to and for any Person or Persons appointed or to be appointed by the said Commissioners as aforesaid, without any Warrant or other Authority than this Act, to seize any such Truck, Wheel, Sledge, Wheelbarrow, Bier or Carriage, Horse, Beast or Cattle, Cask, Tub, Pail, Bucket, Stool, Bench, Showboard, Chopping Block, Stall, Basket, Blind, Shade, Coverlet or Awnings, or other Things, Stone, Wood or Timber, Coach, Chaise, Waggon or other Carriage, together with the Horse or Horses, Ass or Asses, Mule or Mules, if any, which shall be thereunto belonging, with the Harness, Gear and Accoutrements thereof, or any such Goods, Wares, Merchandizes, Fruit, Vegetables or Garden Stuff, Butcher's Meat or other Things, or any of them, and forthwith, or with all convenient Speed, carry or cause the same to be carried before some Justice of the Peace for the said County; and if it shall appear to such Justice, upon the Oath of any One or more credible Witness or Witnesses, that such Goods, Carriage, Horse, Ass or Mule, Materials, Fruit, Vegetables, Garden Stuff, Meat or Things occasioned any Kind of Obstruction or Annoyance, or was or were in any Situation contrary to the Provisions of this Act, then and in such Case it shall be lawful for the said Justice, in case any of the Goods, Wares or Merchandizes so seized shall be perishable, or shall be Articles of Food, to order and direct the Person or Persons who shall seize the same to deliver or cause the same to be delivered to the Churchwardens or Overseers of the Poor of the Parish or Place where the same shall be seized and taken, or some of them, or to the Master of the Workhouse of such Parish or Place, and the same shall and may be given and distributed by them or him unto and

Articles occasioning Nuisances may be seized without any Warrant, &c.

and among the poor Inhabitants of such Parish or Workhouse for their Benefit; but if the Goods, Wares or Merchandizes, Materials or Things so seized shall not be perishable, or shall not be Articles of Food, or if any Carriage, Horse, Mule or Ass shall be so seized, then the said Justice shall order and direct the Person or Persons who shall have seized such last mentioned Goods, Wares, Merchandise, Materials or Things, Carriage, Horse, Ass or Mule, to remove the same to any Place appointed by the Commissioners for the Reception thereof, within the Limits aforesaid, if any such there be, or otherwise to such Place or Places as the said Justice shall judge convenient; and the Person or Persons so seizing any such Goods, Wares or Merchandizes, or any such Horse, Mule, Ass, Materials or Things as aforesaid, shall give parol or written Notice of such Place or Places whereunto the same shall be removed unto the Owner, Driver or other Person having any Interest in the Goods, Carriages, Horse or Horses, Ass or Asses, Mule or Mules, Materials or Things so seized or removed, if he, she or they shall be then and there present; and the same shall be kept and detained until such Owner, Driver or other Person interested therein as aforesaid shall cause to be paid the said Penalty, together with the Charges for taking or moving the same, and of keeping such Horse or Horses, Ass or Asses, Mule or Mules, if any; and in case the Goods, Carriages, Horse or Horses, Mule or Mules, Materials or Things so removed (not being perishable or Articles of Food), shall not be claimed, and the said Penalty and Charges be paid within Five Days next after such Removal thereof, then and in every such Case it shall and may be lawful to and for the said Commissioners, or their Surveyor or other Person as aforesaid, to order the same to be appraised and sold, and the Overplus of the Money arising by such Sale shall be returned to the Owner or Owners thereof, after deducting the said Penalty, and such Costs, Charges and Expences attending such seizing, removing, keeping, appraising and selling the same, as the said Commissioners shall ascertain and allow: Provided always, that it shall be lawful to and for the said Justice, if he shall think fit, to order and direct any of such Goods, Wares, Merchandizes, Carriage, Horse, Mule, Ass, Materials or other Things, Fruit, Vegetables or other Articles of Food so seized, to be restored to the Owner or Owners thereof, upon Payment of such reasonable Sum to the Person or Persons who shall seize the same, for his and their Pains and Trouble therein, as the said Justice shall think fit.

Justices may order such Articles to be restored.

Hackney Coach Stands.

CXLIX. And be it further enacted, That no Hackney Coach shall stand or ply for Fare on any Part of the said Roads mentioned and described in the said First Schedule hereto annexed, except on such Part or Parts thereof as the said Commissioners shall direct and appoint; and in case any Hackney Coachman, or other Person or Persons, shall stand or ply for Fare on any Part of the said Roads, except as aforesaid, he shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Hoards how to be erected.

CL. And be it further enacted, That no Person or Persons whomsoever shall erect or build, or cause to be erected or built, any Hoard, or erect any Post, Bars, Rails, Boards or other Thing by way of Inclosure, for the Purpose of making Mortar and depositing Bricks, Stone, Lime, Sand or any other Materials for build-

building or repairing any House, Shop, Warehouse, Coach House, Stable or Tenement, or other Works, or for any other Purpose, without Leave or Licence first had and obtained under the Hand of the Surveyor for the Time being of the said Roads, who is hereby required to grant the same forthwith, on every Person so applying for such Licence paying to the said Surveyor the Sum of One Shilling.

CLL. And be it further enacted, That if any such Hoard or Inclosure shall be erected or built without the Leave of the said Surveyor so had and obtained and signed as aforesaid, or shall be set up in any other Manner or continued for any longer Time than shall be allowed and expressed in such Licence, then and in either of the said Cases it shall and may be lawful for such Commissioners to cause the same to be pulled down and removed, and to be kept and detained until the Owner or Owners, or his, her or their known Servant or Servants, shall and do pay to the Person or Persons in whose Custody the same shall be the Sum of Forty Shillings, together with the Charges of removing the same; and in case the same shall not be claimed, and the said Penalty and Charges paid within the Space of Five Days next after such Seizure thereof, then it shall and may be lawful to and for the said Commissioners to order the same to be appraised and sold, and the Money arising therefrom shall be applied to the Purposes of this Act.

Punishment
for erecting
Hoards without
Leave.

CLII. And be it further enacted, That if any Person or Persons shall sift, screen or slack any Lime (except within such Inclosures as aforesaid) on any of the said Roads, or on the Footways or Paths on the Sides thereof, or any of them, he, she or they shall forfeit and pay for every such Offence the Sum of Forty Shillings.

No Lime to be
slacked in the
Roads, &c.

CLIII. And be it further enacted, That if any Person or Persons shall cast or lay, or suffer to fall or spill, any Night Soil from any Cart or Carriage, or otherwise, upon any Part of the said Roads mentioned and described in the said First Schedule hereto annexed, or into any of the Drains or Watercourses belonging thereto, or within Two hundred Yards thereof, except such as shall be in a State for the manuring of Land, and shall actually be spread on Land in a Course of Husbandry, it shall be lawful for any Person or Persons who shall see the Offence committed to seize such Offender or Offenders without any Warrant, and to convey him or them before any Justice of the Peace for the said County; and upon Conviction of any such Person or Persons of the Offence aforesaid, he or they shall forfeit and pay any Sum not exceeding Forty Shillings over and above the Charges and Expences of removing such Night Soil (to be ascertained by the Justice before whom such Conviction shall be had); and in default of immediate Payment of the said Penalty, Charges and Expences, such Offender or Offenders shall be committed to the Common Gaol or House of Correction, there to remain for any Time not exceeding Three Calendar Months, nor less than One Calendar Month, unless the said Penalty, Charges and Expences shall be sooner paid and satisfied; and in case any such Offender shall not be apprehended at the Time of the Offence committed, or cannot be discovered, then the Owner of such Cart or other Carriage shall incur the said Penalty, together with the Charges and Expences

Penalty on lay-
ing Night Soil
on Roads.

pences of removing the said Night Soil as aforesaid, and such Owner may recover the same from the Offender or Offenders, in like Manner as any Penalty can or may by virtue of this Act be recovered.

Penalty on
Persons break-
ing Lamps,
&c.

CLIV. And be it further enacted, That if any Person or Persons shall wilfully break, throw down or otherwise damage any Lamp erected or to be erected on the said Roads mentioned and described in the said First Schedule hereto annexed, or any of the Posts, Irons or other Furniture thereof, or extinguish the Light within any of the said Lamps, it shall and may be lawful to and for any Person or Persons whomsoever to apprehend and seize such Offender or Offenders, and to convey the Party so offending to some Peace Officer, and deliver him, her or them into the said Officer's Custody, who is hereby authorized and required to take such Offender into Custody, in order to be secured and conveyed before some Justice of the Peace for the County in which the Offence shall have been committed; and the Party accused being brought before any such Justice, such Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching such Offence; and if the Party accused shall be convicted of such Offence, either by his or her Confession, or upon such Information as aforesaid, the Party so convicted shall forfeit and pay any Sum not exceeding Forty Shillings for each Lamp so broken, thrown down, damaged or extinguished as aforesaid, and full Satisfaction shall also be made to the said Commissioners by such Offender or Offenders for the Damage by him, her or them done as aforesaid; and in case the Party so offending shall not upon Conviction pay the Forfeiture incurred, and make such Satisfaction as aforesaid, the Justice before whom such Offender or Offenders shall be convicted is hereby required to commit him, her or them to the Common Gaol for the said County, there to be kept to Hard Labour for any Time not exceeding Two Calendar Months, and no such Offender shall be discharged before the Expiration of the Time for which he or they shall be so committed, unless such Forfeiture and Satisfaction shall be sooner paid and given, One Half of which respective Forfeitures, when recovered, shall be paid to the Informer or Informers, and the other Half shall be paid to the said Commissioners for the Purposes of this Act; and if any Person shall negligently or accidentally break, throw down or otherwise destroy any Lamp erected or to be erected on the said Roads as aforesaid, or any of the Posts, Irons or other Furniture thereof, and shall not upon Demand make Satisfaction to the said Commissioners, or to their Surveyor of the said Roads, for the Damage by such Person done as aforesaid, it shall be lawful for any Justice of the Peace for the said County of *Middlesex*, and he is hereby required, upon Complaint thereof made by the said Commissioners, to summon the Party complained of, and upon his or her appearing or making default to appear, (Oath being made that the Party complained of was served with such Summons, or that the same was left at his or her Dwelling House or Place of Abode, if known, or that Attempt was made to serve such Summons, but that the Party complained of could not be found, and his or her Place of Abode was not known,) such Justice shall

shall proceed to examine the Matter of Complaint, and upon Proof thereof, either by Confession of the Party complained of; or by the Oath of One or more credible Witness or Witnesses, shall award and order such Satisfaction to be made by the Party complained of, for the Damage so by him or her done, as to such Justices shall appear just and reasonable; and shall cause the Sum so awarded, in case the same be not paid forthwith upon the making such Award or Order, to be levied by Distress and Sale of the Goods and Chattels of the Person complained of, rendering to him or her, upon Demand, the Overplus (if any be), after deducting the Charges of prosecuting such Complaint and of such Distress and Sale.

CLV. And be it further enacted, That it shall be lawful for any Person or Persons, without any Warrant or other Authority than this Act, to apprehend any Offender or Offenders in the Premises against this Act, and with all convenient Speed to convey and deliver him, her or them to the Constable or other Peace Officer nearest to be found to the Place where the Offence shall have been committed, who is hereby authorized and required to take such Offender into Custody, in order to his, her or their being taken or conveyed before a Magistrate, to be dealt with according to Law.

Seruing
Offenders.

CLVI. And for the more easy discovering and effectually punishing of Offenders against the Provisions of this Act and the said General Turnpike Acts; Be it further enacted, That in all Cases where any Offence shall be committed by means of any Cart, Carriage or other Vehicle whatsoever, the Owner of such Cart, Carriage or other Vehicle shall be deemed and considered to be the Offender as well as the Person and Persons actually offending, and shall be subject and liable to the Penalty hereby imposed in respect of such Offence: Provided always, that in case any such Owner or Owners shall be compelled to pay any Penalty or to make Satisfaction for any Damage, by reason of any wilful Neglect or Default done or committed by his, her or their Servant, such Servant shall be liable to repay such Penalty or Satisfaction to such Owner or Owners, and in case of Nonpayment upon Demand thereof, and Oath made by such Owner or Owners of the Payment by him, her or them of such Penalty or Satisfaction, and that the same hath not been repaid to him, her or them by such Servant (such Oath to be made before One Justice of the Peace), the same Penalty and Satisfaction shall be levied by Warrant under the Hand and Seal of such Justice, by Distress and Sale of the Goods and Chattels of such Servant, together with all Costs and Charges attending such Distress and Sale, and the said Penalty and Satisfaction, when recovered, shall be paid to such Owner or Owners, in discharge of such Penalty and Satisfaction; and if sufficient Goods and Chattels of such Servant cannot be found to answer such Distress, then such Justice is hereby required, by Warrant under his Hand and Seal, to cause such Servant to be apprehended and brought before him the said Justice; and in case such Penalty and Satisfaction, and the Costs of such Proceeding as aforesaid, shall not be forthwith paid, such Justice is hereby required forthwith to commit such Servant to the House of Correction for the County where the Offence shall

Owners of
Horses, Carts,
&c. to be
deemed the Of-
fenders, and
liable to the
Penalty.

Power for the
Owner to re-
cover against
his Servant,
through whose
Default he may
be compelled
to pay.

have been committed, and there to remain without Bail or Main-prize for any Time not exceeding Three Calendar Months, nor less than Fourteen Days, unless the said Penalty and Satisfaction, and such Costs and other Charges as aforesaid, shall be forthwith paid, or unless such Servant shall have compounded for the said Penalty, Satisfaction, Costs and Charges with such Owner or Owners, and paid such Composition, which such Owner and Owners are hereby empowered to make and accept.

CLVII. And for preventing wilful and malicious burning or otherwise damaging or destroying the said Bridge called *Lea Bridge*, or any Part thereof, or hindering or interrupting the repairing or rebuilding the same; Be it further enacted, That if any Person or Persons shall wilfully or maliciously burn, blow up, pull down or otherwise destroy the said Bridge or any Part thereof, or attempt so to do, or shall wilfully and maliciously, and without Authority from the said Commissioners, remove or take away any Works thereunto belonging, or in anywise direct or procure the same to be done, whereby the said Bridge or the Works thereof may be damaged, or the Lives of Passengers endangered, such Offender or Offenders, being lawfully convicted thereof, shall be adjudged guilty of Felony, and shall suffer as a Felon.

CLVIII. And for preventing Damages and Mischiefs that may be done and committed by evil minded and disorderly Persons rowing, navigating or managing Boats or other Vessels in or upon the said River *Lea*; and to the end that the said Masters and Owners of such Boats, Barges, Lighters and other Vessels, may be more careful therein; Be it further enacted, That every Master and Owner of any Boat or other Vessel shall be and is hereby made answerable and responsible for any wilful Damage or Mischief that shall be done by his Boat or Vessel, or by any of the Boatmen, Bargemen or Crew of or belonging to any such Boat or Vessel, to the said Bridge called *Lea Bridge*, or any Part thereof, or to any of the Works which shall be erected by virtue of this Act; and the Master or Masters, Owner or Owners of every such Boat or Vessel, shall and may be sued for such Trespass and Damage which shall be so done, in any Court of Record whatsoever.

CLIX. And be it further enacted, That no Bridge shall be built, and that no Person, except the said Commissioners, or such Person or Persons as they shall appoint for that Purpose, during any Time that the said Bridge called *Lea Bridge* may be rebuilding or repairing, and except as hereinafter is mentioned, shall use or employ any Boat, Barge or other Craft in ferrying or conveying across the said River *Lea*, within the Distance of Half a Mile from the said Bridge, any Persons, Cattle or Carriages for Hire or Gain; and if any Person (except as aforesaid) shall so use or employ any Boat, Barge or other Vessel, the Owner or Owners of every such Boat, Barge or other Vessel, or the Person or Persons employing or using the same, shall forfeit the Sum of Twenty Shillings for every Person, Horse, Mare, Gelding, Mule, Ass, Beast, Sheep, Swine, Calf, Lamb and every Coach, Waggon and every other Carriage whatsoever, which shall be so ferried or conveyed across the said River; and if any Person or Persons whomsoever shall make any Ford through the said River, within the Distance

Penalty for wilfully damaging *Lea Bridge*.

Masters to make good the Damages done by their Boatmen.

Penalties for working Ferries, or making or using Fords, within Half a Mile of the Bridge.

Distance of Half a Mile from the said Bridge, every such Person shall forfeit the Sum of Ten Pounds for every such Offence, and every Person who shall use any Ford within such Distance shall forfeit and pay any Sum not exceeding Twenty Shillings for every Time he or she shall pass through the said River at any such Ford, or shall cause any Cattle or Beasts or any Carriage whatsoever to pass through the same; one Moiety of all which Forfeitures shall be paid to the Informer, and the other Moiety shall be applied in such Manner as the said Tolls are hereby directed to be applied.

CLX. Provided always, and be it further enacted, That the Horse Ferry across the said River *Lea*, called *Brazier's Ferry*, and the Foot Ferry called *Crossley's Ferry*, may be worked or used in the Manner in which the same have been heretofore and now are worked and used, but not otherwise.

Ferries across the River *Lea*.

CLXI. And be it further enacted, That in all Cases where from any Accident, or from the said Bridge called *Lea Bridge* being repairing or rebuilding, the same shall not be passable, it shall be lawful for the said Commissioners, and they are hereby required from time to time, as often as occasion shall require, to provide a proper and convenient Ferry or Ferries across the said River, or to erect a temporary Bridge as near to the said Bridge as conveniently may be, and there to take, for Passage over the said River by such Ferry or Ferries or temporary Bridge, such Tolls as might under the Power of this Act have been taken at the Turnpike or Turnpikes on the said Bridge called *Lea Bridge*, but subject to the same Provisions, Restrictions and Exemptions.

Ferry may be worked when the Bridge is repairing, &c.

CLXII. Provided always, and be it further enacted, That all Persons, for Offences committed by the working or using of any Ferry across the said River, or making or using of any Ford through the same, and all other Offences committed upon the said River contrary to the true Intent and Meaning of this Act, shall be proceeded against and convicted before any Justice or Justices of the Peace for the County of *Middlesex* or *Essex*, or for the County wherein such Offenders respectively shall reside; and the Penalties and Forfeitures shall and may be levied, or the Offenders committed as aforesaid, in such and the same Manner as if such Offences had been committed within such respective Counties.

Offences committed on the River, how to be proceeded against.

CLXIII. And be it further enacted, That if any Person or Persons whomsoever (other than any Water or Gas Company, or Commissioners of Sewers, or other Person or Persons, or Body or Bodies Corporate, authorized so to do by any Act of Parliament or Charter,) shall or do, from and after the said First Day of *January* One thousand eight hundred and twenty seven, take up any of the Pavements now or hereafter to be laid on, or in any way break up the Soil of the said Roads mentioned and described in the said First Schedule hereto annexed, or the Footpaths thereof, or any of them, or any Part thereof, without the Licence of the said Commissioners appointed or to be appointed by or under this Act, or contrary to the Terms and Conditions of any such Licence, every such Person shall forfeit and pay for every such Offence the Sum of Twenty Shillings for every Square Yard of the Road or Pavement so broken up, and shall also remain liable to Prosecution by Action or otherwise for such Trespass;

No Person, except Water Companies, &c. to break open Roads, &c. without Licence of Commissioners;

Penalty.

Commissioners to make good the Injury, and the Offender liable to pay the Expenses.

and it shall and may be lawful for the said Commissioners to cause to be filled such Ground or Soil so broken or dug up, and to ram down and make good the same in a workmanlike Manner, and cover the same with a good Coat of fresh Ballast, and to relay and make good all such Pavements as shall be so taken up as aforesaid, and that all the reasonable Charges incurred in so doing shall be paid and borne by the Person or Persons so offending, on Demand thereof made by the said Commissioners, or any Person by them authorized to demand the same, who shall deliver an Account thereof in Writing, signed and allowed by the said Commissioners; and that if upon such Demand made, the Person or Persons so liable to pay the same shall neglect or refuse to pay the same for the Space of Three Days next after the same shall have been so demanded as aforesaid, the same may be levied and recovered in the same Manner as any Penalty may be levied and recovered by virtue of this Act.

Iron Pipes only to be laid down.

CLXIV. And be it further enacted, That all new or complete Mains of Pipes for the Conveyance of Water or Gas, which after the passing of this Act shall be laid down beneath the said Roads mentioned and described in the said First Schedule hereto annexed, or any Part of them, and whether such new or complete Main of Pipes shall or shall not be substituted for or added to any other complete Main or Mains of Pipes for the Conveyance of Water or Gas heretofore laid down, shall consist and be made of Iron alone, and of no other Material; and that the said Roads, or any Part thereof, shall not be broken up for the Purpose of laying down any such new Main of Pipes during the Months of *December, January or February*, in any Year.

Stand Pipes for supplying Water in Time of Frost, to have Metal Cocks and Spouts.

CLXV. And be it further enacted, That no Water Company, or any Person or Persons or Body Corporate, whose Mains or Pipes shall be laid beneath the Surface of the said Roads, or any Part thereof, shall place or set up, or cause or suffer to be placed or set up, any Stand Cock or Pump, or other Instrument, Machine or Thing for the Supply of Water in Times of Frost or otherwise, on the said Roads or any of them, or any Part thereof, which shall be furnished with any other than a Metal Cock and Spout, to the Satisfaction of the said Commissioners or their Surveyor; and that any Water Company or other Person or Persons who shall set up, or cause or suffer to be set up, any Stand Cock, Pump or other Instrument, Machine or Thing, furnished with any other than a Metal Cock and Spout, and which shall not be to the Satisfaction of the said Commissioners or their Surveyor, shall forfeit and pay for every such Offence the Sum of Twenty Shillings.

Notice to be given by Companies and Commissioners of Sewers before they break up any of the Roads or Footpaths, except for Repairs.

CLXVI. And be it further enacted, That it shall not be lawful to or for any Water or Gas Light Company, or for any Commissioners of Sewers, or any Person or Persons acting by or under their Authority or on their Account, to break or take up, or cause to be broken or taken up, any Part of the Roads mentioned and described in the said First Schedule hereto annexed, or the Footpaths thereof, for the Purpose of making and laying down any Main or Mains of Pipes, or of making any Sewer, Vault or Drain, or for any other Purpose, (except for the Purpose of altering the Position of or of repairing any Pipes, Stop Cocks or Plugs, or of substituting

substituting Iron for Wooden Mains or Pipes, or of repairing, cleansing or altering any Sewer, Vault or Drain,) unless Notice in Writing of their Intention to break or take up such Road or Footpath, signed by the principal Clerk or Secretary of such Water or Gas Light Company, or Commissioners of Sewers for the Time being, or by their Surveyor or Inspector or Turncock for the Time being, specifying the Road and the particular Part of such Road in which such Road or Footpath is intended to be broken or taken up, shall have been given to the Surveyor or Clerk to the said Commissioners, or shall have been left for him at his Dwelling House or Office within such parochial or other District, for the Space of Three Days at the least before such Road or Footpath, or any Part thereof, shall be so broken or taken up for the Purposes aforesaid; and that no Gas Light Company shall break or take up or disturb any of the Roads or Footpaths, for the Purpose of laying down any new Mains or Pipes, without the Consent in Writing of the said Commissioners, signified under the Hand or Hands of their Clerk or other proper Officer first obtained; and also that any Water or Gas Light Company or Commissioners of Sewers, or any of them, who shall break or take up, or cause to be broken or taken up, any of the said Roads or the Footpaths thereof, for the Purpose of altering the Position of or repairing any Pipes, Stopcocks or Plugs, or of substituting Iron for Wooden Mains or Pipes, or of repairing, cleansing or altering any Sewer, Vault or Drain, shall give such Notice thereof as aforesaid, signed as aforesaid, and in manner aforesaid, unto such Surveyor or Clerk as aforesaid, within Twelve Hours after any such Water or Gas Light Company or Commissioners of Sewers, or any Person or Persons acting by or under their Authority or on their Account, shall begin to break or take up, or to cause to be broken or taken up, any of such Roads or Footpaths for the Purposes last aforesaid; and that if any such Water or Gas Light Company, or any Commissioners of Sewers, or any Person or Persons acting by or under their Authority or on their Account, shall break or take up, or cause to be broken or taken up, any of such Roads or Footpaths (except for the Purpose of altering the Position of, or repairing any Pipes, Stopcocks or Plugs, or of substituting Iron for Wooden Mains or Pipes, or of repairing, cleansing or altering any Sewer, Vault or Drain,) without such Three Days previous Notice being given or left as aforesaid; or if any Gas Light Company shall break or take up or disturb, or cause to be broken or taken up or disturbed, any of such Roads or Footpaths, for the Purpose of laying down any new Mains or Pipes, without such Consent as aforesaid; or if any Water or Gas Light Company or Commissioners of Sewers, who may break or take up, or cause to be broken or taken up, any of the Roads or Footpaths aforesaid, for the Purpose of altering the Position of or repairing any Pipes, Stopcocks or Plugs, or of substituting Iron for Wooden Mains or Pipes, or of repairing, cleansing or altering any Sewer, Vault or Drain, shall refuse or neglect to give or leave, or to cause to be given or left such Notice thereof as aforesaid, within Twelve Hours after any such Water or Gas Light Company or Commissioners of Sewers, or any Person or Persons acting by or under their Authority, or on their Account, shall begin to break or take up, or to

cause to be broken or taken up, any of such Roads or Footpaths, then, and in every or any such Case, the Company or Commissioners of Sewers, or other Person or Persons so breaking or taking up the same Roads or Footpaths, or any Part thereof, or causing or directing the same to be broken or taken up, or under whose Authority or on whose Account the same shall be so broken or taken up, or the Person so breaking or taking up the same, shall forfeit and pay to the said Commissioners or other Persons having the Controul of the said Roads and Footpaths, or to their Clerk or Surveyor, or to such other Person as they may appoint, not exceeding the Sum of Forty Shillings for every Square Foot of Road which shall be so broken or taken up without such Notice or Consent as aforesaid, to be recovered in the same Manner in which other Forfeitures and Penalties are hereinafter directed to be recovered by virtue of this Act.

Surveyors, &c.
to Water or
Gas Com-
panies, to give
Notice of their
Names and
Places of
Abode.

CLXVII. And be it further enacted, That every Surveyor, Inspector or Foreman now appointed or hereafter to be appointed by the several Water Companies or Gas Companies who shall have any Pipe or Pipes laid in, through or under any of the Roads mentioned and described in the said First Schedule hereto annexed, shall within the Space of Eight Days next after the said First Day of *January* One thousand eight hundred and twenty seven, or within the Space of Three Days next after he shall be appointed Surveyor, Inspector or Foreman to any such Company, and within the Space of Three Days next after every Removal of his Abode, give Notice in Writing to the Surveyor of the said Roads, or to the principal Clerk for the Time being to the said Commissioners, of his Name and Place of Abode, and to what Company he is Surveyor, Inspector or Foreman; and in case any such Surveyor, Inspector or Foreman shall neglect or refuse to give such Notice within the respective Times aforesaid, every such Person so offending in either of the said Cases shall for the First Offence forfeit the Sum of Twenty Shillings, and for the Second and every other Offence the Sum of Forty Shillings.

Provisions in
case Water or
Gas Pipes
shall burst.

CLXVIII. And be it further enacted, That when and so often as any Main or other Pipe belonging to any Water or Gas Company, laid under Ground in the said Roads or the Footways thereof, or any Part thereof, shall after the said First Day of *January* One thousand eight hundred and twenty seven happen to break or burst, or be defective or decayed so as to require Reparation, the Surveyor of the said Roads or such other Person as the said Commissioners shall direct so to do, shall forthwith give Notice thereof in Writing to the Surveyor, Inspector or Foreman of the Company to whom he supposes the same to belong, acting for the District or Division in which Repair shall be so wanted, which Notice shall be delivered to such Surveyor, Inspector or Foreman, or left at his last or usual Place of Abode; and such Surveyor, Inspector or Foreman is hereby directed and required forthwith, and within Forty eight Hours after such Notice, to take up the Pavement, if any, and also open the Ground or cause the same to be opened at or near the Place where any such Repair shall appear to be wanted, and if he shall, upon taking up such Pavement and opening such Ground, discover that such Main or other Pipe so broken, burst, defective or decayed, does not belong to the Water or Gas Company

Company whose Surveyor, Inspector or Foreman he is, then such Surveyor, Inspector or Foreman shall forthwith give Notice thereof in Writing to the Surveyor, Inspector or Foreman of the Company to whom the said Main or other Pipe shall appear to belong, in which Case the said last mentioned Surveyor, Inspector or Foreman is hereby required, upon Demand, to make Satisfaction for taking up such Pavement and opening such Ground, as the Case may be, and taking up such Main or other Pipe, to the Surveyor, Inspector or Foreman giving Notice as aforesaid; and the Surveyor, Inspector or Foreman of such Water or Gas Company to whom the said Main or Pipe shall belong, is and are hereby required immediately, and without the least Delay, to cause or procure the said Main or other Pipe to be effectually repaired, and afterwards to fill in and ram down the said Ground with the Gravel or Ballast thereof, regularly laid on the Surface thereof, and not mixt with the Loam, Clay or other Rubbish, and in case any Pavement shall have been removed, to relay and make good the same, all such Works to be done and effected within Forty eight Hours next after such Notice shall have been given to him as aforesaid, or with all convenient Expedition in the Judgment of the said Commissioners; and he shall, within Six Hours then next after he shall have completed the same, give Notice thereof to the Surveyor of the said Roads, by Writing to be delivered to him or left at his usual Place of Abode, in order that such Surveyor may forthwith inspect and see that such Pavement (if any) be properly relaid and made good, and the Ground and Gravel, in case there shall be no Pavement, filled up and made good in manner aforesaid; and if any Pipe not belonging to any Water or Gas Company shall happen to break, burst, decay or be defective as aforesaid, then and in every such Case the Owner thereof shall forthwith, upon Notice to him or her given as aforesaid by the Surveyor of the said Roads, or any other Person by the said Commissioners for that Purpose appointed, cause the Pavement or Ground over the same to be taken up and opened, and such Pipe to be repaired and the Pavement made good, and the Ground filled in and rammed down with the Gravel and Soil on the Surface thereof, and not mixed with Clay or other Rubbish, as the Case may be, and Notice thereof to be given in Writing to the Surveyor to the said Commissioners, in manner aforesaid, and within the Times aforesaid; and if any Pavement or Ground belonging to the said Roads shall be taken up for the Purpose of making or altering any Drain or Vault, or laying down or mending or repairing any Main or Water Pipe, or for any other Purpose whatsoever, then and in every such Case the Person so causing the said Pavement or Ground to be taken up shall, as soon as the Nature of the Work will permit, cause the said Pavement to be relaid and made good, and the Ground to be filled in and rammed down in manner aforesaid, and within Twelve Hours give Notice thereof in manner aforesaid to the Surveyor of the said Roads; and in case any Surveyor, Inspector or Foreman shall make Default in any of the Matters aforesaid, every such Surveyor, Inspector or Foreman shall, for every such Default or Offence, forfeit and pay any Sum not exceeding the Sum of Forty Shillings, nor less than Twenty Shillings, and the Company or Person to whom any such Main or

Pipe, Drain or Vaults shall belong, shall, over and above the said Penalty, forfeit and pay the Sum of Twenty Shillings for every Day the said Road shall remain unrepaired after such Notice given as aforesaid.

Proviso in case any Company or Persons neglect to make good the Damages.

CLXIX. Provided always, and be it further enacted and declared, That in case any such Water or Gas Company, or Persons as aforesaid, shall neglect to repair and amend any such Main or other Pipe, Sewer, Drain or Vault as aforesaid, and to relay and make good such Pavement, and to fill up and ram down and cover such Ground and Soil as aforesaid, for the Space of One Day after such Notice as aforesaid, or shall not have done the same effectually and in a good and workmanlike Manner, it shall be lawful for the Surveyor of the said Roads, or any other Person appointed for that Purpose by the said Commissioners, to open the Ground, repair and amend the same, or cause the same to be repaired and amended; and in case of ineffectual Repairs of such Pipe, Main, Sewer, Drain or Vault, or relaying and making good such Pavement and Roads as aforesaid, to complete and perfect the same, or otherwise so to plug up or stop and secure the same as to prevent further Injury or Nuisance therefrom, and that the Charges and Expences of repairing and amending such Main or other Pipe, Sewer, Drain or Vault, and ramming down and amending the said Road, and relaying and making good the Pavement when the same shall happen, shall be reimbursed and paid to the said Commissioners, or to such Person or Persons as they shall appoint to receive the same, by the Collector, Treasurer or Clerk to such Water or Gas Company, or by such Person or Persons to whom such Main or other Pipes, Sewer, Drain or Vault shall belong; and in case any such Collector, Treasurer, Clerk or Owner as aforesaid shall neglect or refuse to pay such Charges and Expences within Three Days next after Demand made thereof in Writing, signed by the Surveyor or Clerk to the said Commissioners, and left at the last or usual Place of Abode of the Person so refusing or neglecting, together with a Bill annexed to such Demand, containing an Account of such Charges and Expences, then and in every such Case such Charges and Expences shall and may be recovered by the said Commissioners or any One or more of them, from the Person so made liable to pay the same as aforesaid, over and above the Penalties hereinbefore by this Act incurred by such Company or Person in not repairing the same as aforesaid, in like Manner as the several Penalties by this Act, or any of them, shall or may be recoverable.

Where Ground is opened, or Pavement removed, the same to be done with as much Expedition as possible, and the Place to be fenced off.

CLXX. And be it further enacted, That in all Cases after the said First Day of January One thousand eight hundred and twenty seven, where any Water or Gas Company, or any other Person or Body Corporate, shall, whether under the Authority of any Act of Parliament, or by Licence from the said Commissioners, or in pursuance of the Provisions herein contained, or otherwise, open or break up any Part of the Soil or Ground of the said Roads mentioned and described in the said First Schedule hereto annexed, or of the Footways thereof, or take up any Part of the Pavements thereof, whether for the Purpose of laying or amending any Water Pipes, Gas Pipes or Plugs, or any Sewer, Drain or Vault, or for any other Purpose, the same shall be done and the Ground

Ground filled in and made good with as much Expedition as may be; and in the Meantime such Company, Person or Persons or Body Corporate, shall fence off and secure, or cause to be fenced off and secured, the Ground so opened, in such Manner as not to be dangerous to Passengers, Cattle or Carriages, upon pain of forfeiting any Sum not exceeding Forty Shillings for every Hour the said Ground shall remain open and not secured in manner aforessaid, and shall be answerable and amenable for any Accident or Damage that may arise therefrom or be occasioned thereby: Provided always, that nothing herein contained shall extend to compel any Water Company to fence in or inclose any Trench or Opening which may be made by them during the Progress of any Works that they are by Law authorized to do or perform, provided such Works shall be completed during the Day on which the same shall be commenced.

CLXXI. And be it further enacted, That all Penalties, Forfeitures and Fines by this Act authorized or imposed (the Manner of levying and recovering, and the Application of which is not herein otherwise particularly directed,) shall, upon Proof of the Offences respectively before any Justice of the Peace for the County where the Offence shall be committed, or any Justice of the Peace for the County or Place where the Offender shall be or reside, either by the Confession of the Party or Parties, or by the Oath of any credible Witness, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby authorized and required to grant for those Purposes, and the Overplus, after such Penalties, Forfeitures and Fines, and the Charges of levying and recovering the same, shall have been deducted, shall be returned on Demand to the Owner or Owners of such Goods and Chattels; and all such Penalties, Forfeitures and Fines, shall from time to time be paid into the Bank of *England*, to the Account of the said Commissioners, and become Part of their Funds for repairing the said Roads, and for the other Purposes of this Act; and in case sufficient Distress cannot be found, or such Penalties, Forfeitures or Fines shall not be forthwith paid, it shall be lawful for any such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Offenders to be committed to the Common Gaol or House of Correction for the County, there to remain, without Bail or Mainprize, for any Term not exceeding Three Calendar Months, unless such Penalties, Forfeitures or Fines, and all reasonable Charges, shall be sooner paid and satisfied.

CLXXII. And be it further enacted, That in all Cases where any Conviction shall be had for any Offence or Offences committed against this Act, or any Matter in pursuance of this Act, the Form of Conviction shall be in the Words or to the Effect following; that is to say,

**Form of Con-
viction.**

BE it remembered, That on this Day of
in the Year of the Reign of
A. B. is convicted before of His
Majesty's Justices of the Peace for the , of
having [*as the Offence shall be*] ; and I [or we] the said
do adjudge him [*her or them*] to forfeit and pay for
the

- the same the Sum of . . . Given under my Hand
 • and Seal [or our Hands and Seals] the Day and Year aforesaid.'

Distress not to
be deemed un-
lawful for
Want of Form.

CLXXIII. And be it further enacted, That when any Distress shall be made for any Money to be levied by virtue of this Act, the Distress shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Notice, Warrant of Distress or other Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

Convictions to
be within Three
Months.

CLXXIV. Provided always, and be it further enacted, That no Conviction before any Justice or Justices of the Peace for any Offence committed against the said General Turnpike Acts, so far as relates to the Roads mentioned and described in the said First Schedule hereto annexed, or this Act, shall take Place after the Expiration of Three Calendar Months after the Offence committed; any Thing in the said General Turnpike Acts, or either of them, to the contrary notwithstanding.

Proceedings
not to be
quashed for
Want of
Form.

CLXXV. And be it further enacted, That no Order made touching or concerning any of the Matters aforesaid, or any Proceedings to be had touching the Conviction of any Offender against this Act, shall be quashed or vacated for Want of Form only, or removed or removable by Certiorari or any other Writ or Process into any of His Majesty's Courts of Record at *Westminster*.

Persons contri-
buting to the
Rates may give
Evidence, or
act as Justices.

CLXXVI. And be it further enacted, That any Person or Persons whatsoever, although he, she or they be contributory to the Rates mentioned in this Act, shall, before any Justice or Justices of the Peace, or upon any Trial, Hearing, Examination or otherwise, in, about, touching or concerning this Act, or the Matters or Things herein contained, be and be deemed a competent Witness; and that no Justice of the Peace shall be disabled from acting in the Execution of this present Act by reason of his paying or being contributory to the Rates aforesaid; any Law, Statute or Usage to the contrary notwithstanding.

Penalties may
be compounded
for or mitigated
by the Com-
missioners.

CLXXVII. And be it further enacted, That in case the said Commissioners shall at any Time bring, commence or institute, or cause to be brought, commenced or instituted, any Action, Suit or other Proceeding for recovering any Penalty contained in any Contract entered into with them, or for Damages on account of any Breach or Nonperformance of any such Contract on the Part of the Person or Persons by whom the same was entered into, it shall be lawful for the said Commissioners at any Time to compound or agree with such Person or Persons for any Sum or Sums of Money which they shall think proper; and it shall also be lawful for the said Commissioners to mitigate, compound or lessen any other of the Forfeitures incurred under this Act, so as the Sum so compounded and agreed for be not less than the Injury or Damage sustained by the Breach or Nonperformance of such Contract or Contracts, and all Costs, Charges and Expences which shall be occasioned thereby, and so as the Mitigation of the other For-

feitures as aforesaid do not extend to remit above One Moiety of the said Forfeitures respectively.

CLXXVIII. And be it further enacted, That in all Cases wherein it may be requisite to serve upon any Parish or Place, Body Corporate, Land Owners or other Persons, any Notice, Writ, Summons or other legal Proceedings, the Service of a Copy thereof upon any public Officer of any such Parish or Place, or upon any Individual of such Body Corporate, Land Owners or other Persons respectively, or left at the last or usual Place of Abode of any such public Officer or Individual, shall be deemed good and sufficient Service of the same on such Parish, Place, Body Corporate, Land Owners or other Persons respectively.

As to Service
of Process on
Bodies Cor-
porate, &c.

CLXXIX. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself or themselves aggrieved by any Thing done in pursuance of this Act, and for which no particular Method of Relief hath been already appointed, such Person or Persons may appeal to the Justices of the Peace at the next General or Quarter Sessions of the Peace to be holden for the County or Place where the Grievance shall have happened or been committed, every such Appellant first giving or causing to be given Twenty one Days Notice at the least, in Writing, of his or her Intention to bring such Appeal, and of the Cause or Matter thereof, to the Clerk of the said Commissioners, and within Six Days after such Notice entering into a Recognizance before some Justice of the Peace for such County, with Two sufficient Sureties, conditioned to try such Appeal and to pay such Costs (if any) as shall be awarded against him or her by the Justices at such Quarter Sessions; and the Justices at their said Sessions, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Cause and Matter of every such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against as the said Justices shall think proper, and the Determination of the Justices at such Quarter Sessions shall be finally binding and conclusive to all Intents and Purposes whatsoever.

Appeal.

CLXXX. And be it further enacted, That if any Action or Suit shall be commenced against any of the Commissioners hereby appointed or to be appointed as aforesaid, or any other Person or Persons, for any Thing done in pursuance of this Act, every such Action or Suit shall be brought within Three Calendar Months next after the Act committed, and not afterwards; and every such Action shall be brought and laid in the County where the Cause of Action shall arise and not elsewhere; and the Defendant or Defendants in any such Action shall or may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to be so done, or if such Action shall be brought after the Time before limited for bringing the same, or shall be laid or brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuit, or discontinue his, her or their Action or Actions after the Defendant or Defendants shall have appeared, or if upon Demurrer

Limitation of
Actions.

General Issue.

Treble Costs.

Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall recover Treble Costs, and have such Remedy for the same as any Defendant hath for the Costs of Suit in any Case of Law.

Plaintiffs not to recover without Notice, or after Tender of Amends.

CLXXXI. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons, for any Thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants, Thirty Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action, if Tender of sufficient Amends hath been made to him, her or them, or to his, her or their Attorney, by or on the Behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful to and for the Defendant or Defendants in any such Action, by Leave of the Court after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall think fit, whereupon such Proceedings, Order and Judgment shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Saving the Rights of the Commissioners of Sewers.

CLXXXII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, alter or take away any of the Rights, Powers or Authorities vested in the Commissioners of Sewers for the Limits of *Holborn* and *Finsbury* Divisions, the Parish of *Saint Leonard Shoreditch*, and the Liberty of *Norton Folgate*, in the County of *Middlesex*, and the Borders and Confines of the same, or for the City and Liberty of *Westminster* and Part of the County of *Middlesex*; but all the Rights, Powers and Authorities vested in them shall be as good, valid and effectual as if this Act had not been made.

Saving the Rights of the Commissioners of Sewers for the Tower Hamlets, &c.

CLXXXIII. Provided always, and be it further enacted and declared, That nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, alter or take away any of the Rights, Powers or Authorities vested in the Commissioners of Sewers for the Limits of the Tower Hamlets in the County of *Middlesex*, but that all the Rights, Powers and Authorities vested in them shall be as good, valid and effectual as if this Act had never been made.

Saving Rights of Water Companies.

CLXXXIV. Provided also, and be it further enacted and declared, That nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish or take away any Right, Power, Interest, Privilege, Advantage or Authority, which by Law is now vested in the Governor and Company of the *New River*, the Governor and Company of *Chelsea Waterworks*, *Grand Junction Waterworks Company*, the Company of Proprietors of the *West Middlesex Waterworks*, the Company of Proprietors of the *East London Waterworks* or the *Hampstead Water Company*; but that all and every the Rights, Powers, Interests, Privileges, Advantages and Authorities so vested in the said Companies respectively, may be exercised and enjoyed in as full and ample

ample a Manner to all Intents and Purposes as the same were or was exercised and enjoyed by the said Companies respectively immediately before the passing of this Act.

CLXXXV. Provided also, and be it further enacted and declared, That nothing herein contained shall extend or be construed to extend so as to vary, alter or affect any of the Provisions, Powers or Authorities of an Act made in the Thirty fifth Year of the Reign of His late Majesty King George the Third, intituled *An Act for repealing several Acts made in the Eighth, Tenth, Thirteenth and Fifteenth Years of the Reign of His present Majesty, for regulating the Nightly Watch and Beadles, and for paving, repairing, cleansing and lighting the Parish of Saint Mary le bone in the County of Middlesex, and for the better Relief and Maintenance of the Poor thereof, and for divers other Purposes therein mentioned, and for making more effectual Provision for those Purposes*; or of an Act made in the Third Year of the Reign of His present Majesty King George the Fourth, intituled *An Act for altering, amending and enlarging the Powers of Three several Acts made in the Thirty fifth, Forty sixth and Fifty third Years of the Reign of His late Majesty King George the Third, for regulating the Nightly Watch and Beadles, and for paving, repairing, cleansing and lighting the Parish of Saint Mary le bone in the County of Middlesex, and for the better Relief and Maintenance of the Poor thereof, and for divers other Purposes therein mentioned, and for making more effectual Provision for those Purposes*; but all the Provisions, Powers and Authorities in the said Two Acts of the Thirty fifth Year of King George the Third and the Third Year of King George the Fourth, shall be as good, valid and effectual as if this Act had not been made.

CLXXXVI. Provided also, and be it further enacted and declared, That nothing in this Act contained shall extend or be deemed or construed to extend to vary, alter or affect any of the Provisions, Powers or Authorities of an Act passed in the Fifty second Year of the Reign of His late Majesty, King George the Third, intituled *An Act for altering and enlarging the Powers of Two Acts of His present Majesty, for paving, repairing, cleansing, lighting, watering and watching such Part of the Parish of Saint Pancras as lies on the West Side of Tottenham Court Road*; an Act passed in the Twenty ninth Year of the Reign of His said late Majesty King George the Third, intituled *An Act for paving, lighting, cleansing and watering and watching such Streets and other public Places within that Part of the Parish of Saint Pancras in the County of Middlesex which lies on the North and South Sides of the New Road leading from Paddington to Islington, called Somers Town, and leased to Jacob Leroux Esquire, for building upon, or that may be thenceforth leased for the like Purpose, and for preventing Nuisances and Obstructions therein*; an Act passed in the Fifty fourth Year of the Reign of His said late Majesty King George the Third, intituled *An Act for paving, lighting, watching and otherwise improving the several Streets and other public Places partly lying on the West Side of Maiden Lane, partly on the North Side of the New Road, and partly on the West Side of the Pancras Road near Battle bridge, in the Parish of Saint Pancras in the County of Middlesex, and for preventing Nuisances and Obstructions*

35 G.3. c.73.
and 3 G.4.
c.84. for paving
the Parish of
Mary le bone,
not to be affect-
ed by this Act.

Paving Acts
for different
Parts of Saint
Pancras Parish
not to be af-
fected.

tions therein; an Act passed in the Forty eighth Year of the Reign of His said late Majesty King George the Third, intituled *An Act for forming, paving and otherwise improving certain Streets and other public Passages and Places in the Parish of Saint Pancras in the County of Middlesex*; or an Act passed in the Third Year of the Reign of His present Majesty King George the Fourth, intituled *An Act for watching, lighting, watering, cleansing, graveling and otherwise improving the Foot, Carriage and other public Ways on certain Lands and Grounds in the Parish of Saint Pancras in the County of Middlesex, called Camden Town*; but all the Rights, Powers and Authorities in the said several Acts contained shall be as good, valid and effectual as if this Act had not been passed.

Paving Act for
Parish of Saint
Luke not to
be affected.

CLXXXVII. Provided also, and be it further enacted and declared, That nothing in this Act contained shall extend or be deemed or construed to extend to vary, alter or affect any of the Provisions, Powers or Authorities of an Act passed in the Fiftieth Year of the Reign of His late Majesty King George the Third, intituled *An Act for making more effectual Provision for lighting, watching, paving, cleansing, regulating and improving the Streets and other public Places in the Parish of Saint Luke in the County of Middlesex*; but all the Rights, Powers and Authorities in the said Act contained shall be as good, valid and effectual as if this Act had not been passed.

Not to preju-
dice Rights of
the Imperial
Gas Light
Company.

CLXXXVIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be deemed, taken or construed to extend, to injure, prejudice, diminish, alter, take away or affect any of the Rights, Privileges, Property or Works of the Imperial Gas Light and Coke Company, which hath been established under and by virtue of Two several Acts, passed in the First and Second and Fourth Years of the Reign of His present Majesty, one whereof is intituled *An Act to establish an additional Company for lighting certain Parts of the Metropolis and Parts adjacent with Gas*, and the other of which Acts is intituled *An Act to alter, amend and enlarge the Powers of an Act of His present Majesty's Reign, intituled 'An Act to establish an additional Company for lighting certain Parts of the Metropolis and Parts adjacent with Gas.'*

Saving Rights
of Trustees of
the River Lea
Navigation.

CLXXXIX. Provided also, and be it further enacted and declared, That nothing in this Act contained shall extend or be construed to extend to invalidate, lessen, diminish or alter, or take away any of the Rights, Powers, Trusts or Authorities, which, by an Act of Parliament passed in the Twelfth Year of the Reign of His late Majesty King George the Second, are vested in Trustees for ascertaining, preserving and improving the Navigation of the said River Lea; except only that no such Rights, Powers, Trusts or Authorities shall be exercised so as to prevent or interrupt the Execution of the Purposes of this Act; any Thing in this or any former Act contained to the contrary notwithstanding.

Commissioners
not personally
liable.

CXC. And be it further enacted, That no Commissioner acting in Execution of this Act shall be held or adjudged to have rendered himself personally liable to or for the Repayment of any Money, or the Interest thereof, or of any Annuity borrowed, raised or taken up or purchased under and by virtue of this Act, or under
and

and by virtue of the said General Turnpike Acts, or any of them, by reason of his having executed or signed any Assignment of Tolls or other Instrument for the Payment of any Sum which such Commissioner shall not have bound himself to pay personally as an Individual, independent of his Office of Commissioner under this Act, or the said General Turnpike Acts, or any of them.

CXCI. And be it further enacted, That the said Commissioners hereby appointed and to be appointed as hereinbefore is mentioned shall be charged and chargeable for such Monies only as they shall respectively actually receive under the Trusts of this Act and the said General Turnpike Acts, notwithstanding their giving or signing or joining in giving or signing any Receipt for the Sake of Conformity; and that they shall not be answerable or accountable for any Banker, Treasurer or Agent, in whose Hands any Monies applicable to the Purposes of this Act shall be placed, or for any involuntary Losses; and any One or more of the said Commissioners shall not be answerable for any other or others of them.

Indemnity of
Commissioners.

The SCHEDULES referred to are,

FIRST SCHEDULE; containing a List and Description of the Roads under the Care and Superintendence of the Commissioners;—in Fourteen Parts.

SECOND SCHEDULE; containing a List of the Tolls authorized by the Act to be taken.

THIRD SCHEDULE; containing a Description of Premises to be taken down or altered;—in Five Parts.

The FIRST SCHEDULE to which the Act refers;

First Schedule.

Containing a List and Description of the several Roads under the Care and Superintendence of the Commissioners.

PART THE FIRST:—The Roads leading from the West Side of the great Sewer, commonly called The Ranelagh Sewer, at Knightsbridge, to Counters Bridge, and from Knightsbridge to Fulham Bridge, and from Fulham, through Fulham Fields, to the Corner of the Garden Wall formerly belonging to Michael Impey, deceased, opposite the Chapel at Hammersmith, and from Walham Green to the Great Western Road near the East End of the Town of Hammersmith, and from the House known by the Sign of The Bell and Horns, at Brompton, to Earl's Court, and from thence to the said Great Western Road near Holland House, and from the West Side of the said Sewer, called Ranelagh Sewer, near Chelsea Bun House, to the North End of Battersea Bridge, in the Parish of Chelsea, and from Chelsea Church, along Hogmore Lane, to the said Great Western Road, near the East End of the Town of Kensington, and from Chelsea Hospital, by Blacklands, to the Road leading from Knightsbridge to Fulham, and from the King's Arms, in Fulham, to the Entrance to the King's Road, and the Road called Church Lane, leading from the Town of Kensington, to the House known by the Name of The Swan, at Kensington Gravel Pits; which said several Roads lie within the Parishes of Saint Margaret Westminster, Saint Mary Abbots Kensington, Saint Luke Chelsea, and All Saints Fulham, in the said County of Middlesex, and comprise a Space of Fifteen Miles or thereabouts.

PART

First Schedule.

PART THE SECOND :—The Road leading from Counters Bridge, in the Parish of Kensington, through the Towns of Hammersmith, Brentford and Hounslow, to the Bridge near the Powder Mills in the Parish of Bedfont, and also the Road leading from Hounslow aforesaid to Cranford Bridge, all in the County of Middlesex.

PART THE THIRD :—The Road leading out of the Great Western or Old Brentford Road, at or near a Public House known by the Sign of the Coach and Horses, through Sion Lane, and the Towns and Parishes of Isleworth, Twickenham and Teddington, to the Gate on the South Side of Teddington Field, in the Road to Kingston Bridge, and also the Road or Highway called Pound Lane or Lower Wood Lane, leading out of the said Great Western or Old Brentford Road, near Smalbury Green Turnpike, to a Public House known by the Sign of The George, in the Town of Isleworth aforesaid, all in the County of Middlesex.

PART THE FOURTH :—The Road lying between Tyburn and the Town of Uxbridge, in the Parish of Hillingdon, in the County of Middlesex, and the Road leading from Brent Bridge, over Hanwell Heath, through the Parishes of Hanwell, New Brentford and Ealing, to the Great Western Road, and the Wharfs on the River Thames; and a Road leading from the said Road between Tyburn and Uxbridge, at Shepherd's Bush Common, in the Parish of Fulham and Hamlet of Hammersmith, to the said Great Western Road near Turnham Green, in the Parish of Acton.

PART THE FIFTH :—The Road from Saint Giles's Pound to Kilbourne Bridge in the County of Middlesex; that Part of the New Road from the Great Northern Road at Islington to the Edgware Road near Paddington, which lies to the Westward of Tottenham Court Road; and the Road from the North End of Great Portland Street into the said New Road.

PART THE SIXTH :—The Road from the First Carriage Bridge over the Grand Junction Canal at Paddington to Harrow on the Hill in the County of Middlesex, and a Branch Road from the said Road at or near a Place called Chelsea Reach, between the Second and Third Milestones on the said Road, to the Road from Saint Giles's Pound to Kilburn Bridge, described in the Fifth Part of this Schedule at or near to Pine Apple Nursery, otherwise Pine Apple Place.

PART THE SEVENTH :—The Road between a certain Place called Kilburn Bridge in the County of Middlesex, and Sparrows Herne in the County of Hertford.

PART THE EIGHTH :—The Road leading from Goswell Street through Islington and Holloway to Highgate Gatehouse; the Road leading from Saint John Street and joining with the said last mentioned Road at or near to the Angel at Islington; the Branch Road diverting at the Turnpike Gate at Islington, running to the West of the Town of Islington, and joining with the said first mentioned Road at Holloway, and known as the Back Road; the Road from Lower Street Islington to Newington Green called the Lower Road, the Road called Cross Street, from the Upper Street to the Lower Street, and the Road from Ball's Pond Gate to Kingsland; that Part of the New Road which runs from Tottenham Court Road Eastward to the Great Northern Road at Islington; the Road from the said New Road near Queen's Row

to Bagnigge Wash and then to Coppice Row in the Parish of Saint James Clerkenwell; the Road leading from Gray's Inn Lane by Battlebridge and Saint Pancras Church through Kentish Town to Highgate Gatehouse; the Road leading from St. Giles's Pound through Camden Town, and uniting with the said last mentioned Road at or near a Public House called the Black Horse at Kentish Town; the Road leading from the said last mentioned Road to Hampstead, and terminating at or near a Public House called the Red Lion; the Branch Road from the said Highgate to the said Hampstead Road called Fig Lane; all of which said Roads have been known as the Highgate and Hampstead Turnpike Roads.

First Schedule.
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PART THE NINTH:—The Road from the North West Side of the Goswell Street Road, next Islington, to the North West Corner of Finsbury Square by the Artillery Ground in the County of Middlesex, commonly called or known by the Name of the City Road.

PART THE TENTH:—The Roads leading from the Stones End in the Parish of Saint Leonard Shoreditch in the County of Middlesex, to the Northernmost Part of Enfield in the same County, next to the Parish of Cheshunt in the County of Hertford, and from the Place where the Watch-house in Edmonton formerly stood to the Market Place in Enfield aforesaid, which Roads are commonly called The Stamford Hill Roads; and also the Roads from Newington Green in the said County of Middlesex, through the Lanes or Highways called The Green Lanes, to join the said Road leading from Edmonton to the Market Place in Enfield, at Bush Hill in the Parish of Edmonton; which Road is commonly called The Green Lanes Road.

PART THE ELEVENTH:—The Road leading from the Stones End near the Parish Church of Saint Leonard Shoreditch, in the County of Middlesex, to the London Apprentice, and from thence through Old Street, in the Parish of Saint Luke in the County of Middlesex, to Goswell Street in the same County; the Road from the London Apprentice, called the Curtain Road, to Worship Street, and along that Street and Providence Row to the City Road opposite Artillery Place, and also the Branch Road from Worship Street to Crown Street, running at the Back of the East Side of Finsbury Square.

PART THE TWELFTH:—The Roads leading from the Church of the Parish of Saint Leonard Shoreditch, through Hackney, to Stamford Hill, and from Hackney across Cambridge Heath, over Bethnal Green, to the Turnpike Gate at Mile End; and from Kingsland Green in the Parish of Saint John at Hackney, through Dalston, to Church Street in the same Parish, all in the County of Middlesex.

PART THE THIRTEENTH:—The Bridge over the River Lea, where or near to where a Ferry called Jeremy's Ferry formerly was, and which Bridge is commonly called Lea Bridge; the Road across the Marsh called Walthamstow or Low Layton Marsh, and certain Lands adjoining to Mark House Lane; the Road from Clapton in the County of Middlesex down to the said River Lea; and the Roads from Mark House Lane into the Great Road at

First Schedule. or near a House known by the Sign of the Eagle at Snarebrook, in the Parish of Wanstead in the County of Essex.

PART THE FOURTEENTH:—A Road from the Hampstead Road, at Camden Town, in the Parish of Saint Pancras in the County of Middlesex, to the Great North Road in the Parish of Saint Mary Islington in the said County, and also along Park Street into the Road called the Albany Road, and from thence along the said last mentioned Road to the New Road near the End of Great Portland Street in the said County of Middlesex.

**Second
Schedule.**

The **SECOND SCHEDULE** to which the Act refers ;

Containing a List of the Tolls authorized by the Act to be taken.

Kensington.

AT each of the Gates and Bars erected or to be erected on or by the Side of the Roads mentioned and described in the First Part of the First Schedule, there may be levied and taken the Tolls following ; (that is to say,)

6 G.4. c.187.
§ 15.

For every Horse, Mule or other Beast, drawing any Coach, Hearse, Berlin, Landau, Chariot, Curricule, Chaise, Chair, Waggon, Wain, Van, Cart, Dray or other Carriage, drawn by more than One Horse, Mule or other Beast, the Sum of One Penny Halfpenny :

For every Horse or Mule drawing any Coach, Hearse, Berlin, Landau, Chariot, Curricule, Chaise, Waggon, Wain, Van, Cart, Dray or other Carriage, and drawn by One Horse, Mule or other Beast only, the Sum of Three Pence :

For every Horse or Mule, laden or unladen, and not drawing, the Sum of One Penny Halfpenny :

For every Ass, drawing or not drawing, the Sum of One Penny :

For every Drove of Oxen, Cows or neat Cattle, per Score, the Sum of Ten Pence (and so in proportion for any greater or less Number) :

For every Drove of Calves, Hogs, Sheep or Lambs, per Score, the Sum of Five Pence (and so in proportion for any greater or less Number).

6 G.4. c.157.
§ 19.

But when Toll shall have been once paid at any One of the said Gates or Bars for any Horse, Mule or other Beast, no Toll shall be charged during the same Day (to be computed from Midnight to Midnight) for the same Horse, Mule or other Beast, on passing through any other of the said Gates or Bars, or on returning or repassing through the same Gate or Bar, except in the following Instances ; (that is to say,)

6 G.4. c.157.
§ 20.

All Horses, Mules and other Beasts, drawing any Post Chaise or other Carriage travelling for Hire, shall be charged for every Time of passing or repassing along the said last mentioned Roads, upon a fresh Hiring thereof ; and in like Manner all Horses, Mules and other Beasts, drawing any Hackney Coach, Chariot or Cabriolet, shall be charged for every Time of passing through any of the said Gates or Bars, unless the Person or Persons by whom the same shall for the Time being be hired shall have then already, during the same Day, paid Toll for the same, and shall produce a Ticket denoting the same, or unless such

such Hackney Coach, Chariot or Cabriolet shall be returning empty, after having set down a Person or Persons who shall, during the same Day, have paid Toll for the same:

All Horses or other Beasts of Draught, drawing any Stage Coach or any Stage Waggon, Van, Caravan or other Stage Carriage, conveying Passengers or Goods for Pay, Hire or Reward, after Toll shall have been taken for the first Time of passing, shall be charged with One other full Toll passing along the said last mentioned Road, but not with any further Toll during the same Day.

AT each of the Gates and Bars erected or to be erected on or by the Side of the Roads mentioned and described in the Second Part of the said First Schedule, there may be levied and taken the Tolls following; (that is to say,)

For every Coach, Berlin, Landau, Chariot, Calash, Hearse, Cur-
ricie, Chaise or Chair, drawn by Six Horses, the Sum of Two
Shillings; and drawn by Three or Four Horses, the Sum of One
Shilling and Three Pence; and drawn by Two Horses, the Sum
of Sixpence; and drawn by One Horse, the Sum of Four Pence
Halfpenny: 43 G.S. c.16.
§ 1.

For every Horse, Mare, Gelding, Mule or Ass, laden or not laden, drawing or not drawing, the Sum of Three Pence:

For every Waggon, Wain, Cart, Dray or other Carriage, drawn by One Horse, Mare or Gelding, the Sum of Four Pence Halfpenny; and drawn by Two Horses, Mares or Geldings, or other Cattle, the Sum of Seven Pence Halfpenny; and drawn by Three Horses, Mares, Geldings or other Cattle, the Sum of Ten Pence Halfpenny; and drawn by Four Horses, Mares, Geldings or other Cattle, the Sum of One Shilling and Three Pence; and drawn by Five Horses, Mares, Geldings or other Cattle, the Sum of One Shilling and Sixpence; and drawn by Six or more Horses, Mares, Geldings or other Cattle, the Sum of Two Shillings:

For every Drove of Oxen or Neat Cattle, per Score, the Sum of One Shilling and Sixpence (and so in proportion for any less Number):

For every Drove of Calves, Hogs, Sheep or Lambs, per Score, the Sum of Nine Pence (and so in proportion for any less Number):

And between the Twenty fifth Day of March inclusive and the Twenty ninth Day of September inclusive in every Year, for every Horse, drawing or not drawing, (except Horses drawing Waggons, Wains, Carts and Drays, and Pack Horses laden with Burthens, and not rode on,) an additional Toll of One Halfpenny, which additional Toll shall be payable at any Gate or Bars erected or to be erected on or by the Side of the Road between Counters Bridge and Brentford Bridge only:

For every Stage Coach or other Carriage or Machine drawn by Two or more Horses or other Cattle, and usually carrying or so constructed as to carry more than Six Inside Passengers, One Half Part more of the said Tolls, in addition to the said Tolls hereby specified.

But when Toll shall have been once paid at any One of the said Gates or Bars for any Carriage, Horse or other Vehicle or Animal, 7 G.S. c.88.

**Second
Schedule.**

no Toll shall be charged during the same Day (to be computed from Midnight to Midnight) for the same Carriage, Horse or other Vehicle or Animal, on passing through any other of the said Gates or Bars, or on returning or repassing through the same Gate or Bar, except in the Instance hereinafter mentioned.

43 G.S. c.16.
§ 2.

And no more than Two Thirds of the said respective Tolls (except the said additional Toll of One Halfpenny per Horse, between the Twenty fifth Day of March and the Twenty ninth Day of September in every Year,) shall be demanded, taken or levied at any Gate or Bar erected or to be erected on or by the Side of the said Roads between Counters Bridge and Brentford Bridge, nor more than One Third thereof between Brentford Bridge and the Powder Mills on Hounslow Heath or Crauford Bridge.

43 G.S. c.16.
§ 3.

The Exception to the aforesaid Provision, that Toll shall be only demanded once a Day, is as follows; namely, that all Waggon, Carts and other Carriages laden with Bricks, Tiles, Stone, Malt, Flour, Timber, Breeze and Soil for making or burning of Bricks or Tiles, shall be charged with Toll for every Time such Waggon, Carts or other Carriages so laden shall pass in the same Day along the said Roads mentioned and described in the said Second Part of the said First Schedule, or any of them, or any Part thereof.

Isleworth.

AT each of the Gates and Bars erected or to be erected on or by the Side of the Roads mentioned and described in the Third Part of the said First Schedule, there may be levied and taken the Tolls following; (that is to say,)

53 G.S. c.90.
§ 3.

For every Berlin, Landau, Chariot, Calash, Barouche, Hearse, Curricule, Chaise, Gig or Chair, drawn by Six Horses, the Sum of One Shilling and Sixpence; and if drawn by Three or Four Horses, the Sum of Nine Pence; and if drawn by Two Horses, the Sum of Sixpence; and if drawn by One Horse, the Sum of Three Pence:

For every Horse, Mare, Gelding, Mule or Ass, laden or not laden, drawing or not drawing, the Sum of Two Pence:

For every Waggon, Wain, Cart, Dray or other Carriage drawn by One Horse, Mare or Gelding, the Sum of Three Pence; and drawn by Two Horses, Mares or Geldings, or other Cattle, the Sum of Five Pence; and drawn by Three Horses, Mares or Geldings, or other Cattle, the Sum of Seven Pence; and drawn by Four Horses, Mares, Geldings or other Cattle, the Sum of Nine Pence; and drawn by Five Horses, Mares, Geldings or other Cattle, the Sum of Eleven Pence; and drawn by Six or more Horses, Mares, Geldings or other Cattle, the Sum of One Shilling and Three Pence:

For every Drove of Oxen or Neat Cattle, per Score, the Sum of One Shilling and Eight Pence (and so in proportion for any less Number):

For every Drove of Calves, Hogs, Sheep or Lambs, per Score, the Sum of Ten Pence (and so in proportion for any less Number):

For every Stage Coach or other Carriage or Machine, drawn by Two or more Horses or other Cattle, and usually carrying, or so constructed as to carry more than Six inside Passengers, One Half

Half Part more of the said Tolls in addition to the said Tolls hereby specified.

Second
Schedule.

But when Toll shall have been once paid at any One of the said last mentioned Gates or Bars for any Carriage, Horse or other Vehicle or Animal, no Toll shall be charged during the same Day (to be computed from Midnight to Midnight) for the same Carriage, Horse or other Vehicle or Animal, on passing through any other of the said lastmentioned Gates or Bars, or on returning or repassing through the same Gate or Bar.

7 G. 3. c. 38.

AT each of the Gates or Bars erected or to be erected on or by the Side of the Roads mentioned and described in the Fourth Part of the said First Schedule, there may be levied and taken the Tolls following; (that is to say,)

Uxbridge.

For every Horse or other Beast (except an Ass), laden or unladen, and not drawing, the Sum of Two Pence :

For every Ass, laden or unladen, and not drawing, the Sum of One Penny :

For every Horse or other Beast (except an Ass), drawing any Coach, Chaise or other Carriage, the Sum of Four Pence :

For every Ass drawing any Chaise, Cart or other Carriage, the Sum of Two Pence :

For every Horse or other Beast drawing any Waggon, Wain, Cart or other such like Carriage, having the Fellies of the Wheels thereof of less Breadth than Four Inches and an Half, the Sum of Four Pence :

For every Horse or other Beast drawing any Waggon, Wain, Cart or other such like Carriage, having the Fellies of the Wheels thereof of the Breadth of Four Inches and an Half and less than Six Inches, the Sum of Three Pence Halfpenny :

For every Horse or other Beast drawing any Waggon, Wain, Cart or other such like Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches and upwards, the Sum of Three Pence :

For every Drove of Oxen, Cows or Neat Cattle, the Sum of Ten Pence per Score (and so in proportion for any less Number) : And,

For every Drove of Calves, Sheep, Lambs or Swine, the Sum of Five Pence per Score (and so in proportion for any less Number).

And the said Roads mentioned and described in the said Fourth Part of the said First Schedule shall, for the Purpose of levying the said Tolls, be considered as divided into Three Districts; the First, consisting of so much of the said Road from Tyburn to Uxbridge as lies between London and the Eighth Milestone; the Second, consisting of the Remainder of the said Road; and the Third, consisting of the new Road from Shepherd's Bush Common to the Great Western Road at Turnham Green; and when Toll shall have been once paid at any Gate or Bar in either of the said Districts for any Horse or other Animal, no Toll shall be charged during the same Day (to be computed from Midnight to Midnight) for the same Horse or other Animal on passing through any other Gate or Bar in the same District, or on returning or repassing through the same Gate or Bar, except in the following Instances; (that is to say,)

Second
Schedule.

All Horses and other Animals, drawing any Post Chaise or other Carriage travelling for Hire, shall be charged with One full Toll for every Time of passing along the Road or Roads in each or either of the said Districts, upon a fresh Hiring thereof:

All Horses, Mules and other Beasts, drawing any Hackney Chariot or Cabriolet, shall be charged for every Time of passing through any of the said Gates or Bars, unless the Person or Persons by whom the same shall for the Time being be hired shall have then already during the same Day paid Toll for the same, and shall produce a Ticket denoting the same, or unless such Hackney Coach, Chariot or Cabriolet shall be returning empty after having set down a Person or Persons who shall during the same Day have paid Toll for the same:

All Horses or other Beasts of Draught, drawing any Stage Coach or any Stage Waggon, Van, Caravan or other Stage Carriage conveying Passengers or Goods for Pay, Hire or Reward, after Toll shall have been taken for the First Time of passing on either of the said Districts, and which shall return on the same Day through the same Turnpike or Toll Gate, shall be charged with one other full Toll for the Second Time of passing, but not with any farther Toll during the same Day in that District:

54 G.S. c.300.
§ 4.

All Waggons, Carts and other Carriages laden with Bricks, Tiles, Stone, Lime or Timber, shall pay Toll for each Time they shall pass so laden through any Gates or Bars erected or to be erected on or by the Side of the said last mentioned Roads, or any of them.

Mary le bone.

AT each of the Gates or Bars erected, or to be erected on or by the Side of the Road mentioned and described in the Fifth Part of the said First Schedule, leading from Saint Giles's Pound to Kilbourne, there may be levied and taken the Tolls following; (that is to say,)

48 G.S. c.100.
§ 7.

For every Horse, Mare, Gelding, Mule or Ass, drawing or not drawing, the Sum of One Penny:

For every Drove of Oxen or Neat Cattle, per Score, the Sum of Two Pence (and so in proportion for any greater or less Number):

For every Drove of Hogs, Sheep or Lambs, per Score, the Sum of One Penny (and so in proportion for any greater or less Number).

23 G.S. c.110,
§ 15.

But when Toll shall have been once paid at any One of the said last mentioned Gates or Bars, for any Horse or other Animal, no Toll shall be charged during the same Day (to be computed from Midnight to Midnight) for the same Horse or other Animal, on passing through any other of the said last mentioned Gates or Bars, or on returning or repassing through the same Gate or Bar, except in the following Instance; (that is to say,)

48 G.S. c.100.
§ 10.

Every Horse or other Animal, drawing any loaded Waggon, Cart, Wain or Dray, shall be charged with a full Toll for the First, another full Toll for the Second, and another full Toll for the Third Time of passing along the said last mentioned Road with any such loaded Waggon, Cart, Wain or Dray, but not with any further Toll during the same Day; and no Toll shall be charged in respect of such Waggon, Cart, Wain or Dray, if it shall

shall only be returning empty the same Day after delivering its Load, or returning with the same Load or Part only of the same Load.

Second
Schedule.

And at each of the said Gates and Bars now erected or to be erected on or by the Side of that Part of the New Road leading Westward from Tottenham Court Road to the Edgware Road near Paddington, there may be levied and taken the Tolls following; (that is to say,)

New Road.
(Mary le bone
Trust.)

For every Horse, Mule or Ass, drawing or not drawing, the Sum of One Penny :

For every Drove of Oxen, Cows or Neat Cattle, the Sum of, per Score, Two Pence (and so in proportion for any greater or less Number) :

For every Drove of Calves, Hogs, Sheep or Lambs, the Sum of, per Score, One Penny (and so in proportion for any greater or less Number).

But when Tolls shall have been once paid at One of the said last mentioned Gates or Bars for any Horse or other Animal, no Toll shall be charged during the same Day (to be computed from Midnight to Midnight) for the same Horse or other Animal on passing through any other of the said last mentioned Gates or Bars, or on returning or repassing through the same Gate or Bar, except in the following Instances; (that is to say,)

All Horses or other Animals drawing any Hackney Coach, Chariot or Cabriolet, shall be charged for every Time of passing through any of the said last mentioned Gates or Bars, unless the Person or Persons by whom such Hackney Coach, Chariot or Cabriolet shall for the Time being be hired shall have then already during the same Day paid Toll for the same on the said last mentioned Road, and shall produce a Ticket denoting the same, or unless such Hackney Coach, Chariot or Cabriolet, shall be returning empty after having set down a Person or Persons who shall during the same Day have paid Toll for the same, on the said last mentioned Road :

All Horses or other Animals drawing any Stage Coach, after Toll shall have been taken for the First Time of passing and returning, shall be charged with One Half Toll for the Second Time of passing along the said last mentioned Road, but not with any further Toll during the same Day :

All Horses or other Animals drawing any Cart or Carriage, carrying Bricks, Tiles or Breeze, Ashes, Clay or Compost to be used for making Bricks or Tiles, shall, after Toll shall have been taken for the First Time of passing and returning, be again charged with the full Toll for passing the Second Time along the said last mentioned Road, but not with any further Toll during the same Day.

AT each of the Gates and Bars erected or to be erected on or by the Side of the Road mentioned and described in the Sixth Part of the said First Schedule, there may be levied and taken the Tolls following; (that is to say,)

Harrow.

For every Horse or other Beast drawing any Coach, Berlin, Landau, Vis-a-vis, Chariot, Chaise, Hearse, Litter or other such like

7 G. 4. c. 91.

Second
Schedule.

- like Carriage with Four Wheels, or any Chaise or Chair with Two Wheels, the Sum of Five Pence:
- For every Horse or other Beast drawing any Waggon, Wain or other such Carriage with Four Wheels of the Breadth of Six Inches or upwards on the Bottom or Sole thereof, the Sum of Three Pence:
- For every Horse or other Beast drawing any Waggon, Wain or other such Carriage with Four Wheels of less Breadth than Six Inches as aforesaid, the Sum of Sixpence:
- For every Horse or other Beast drawing any Cart or other such Carriage with Two Wheels of the Breadth of Six Inches as aforesaid, the Sum of Two Pence:
- For every Horse or other Beast drawing any Cart or other such Carriage with Two Wheels of less than Six Inches Breadth as aforesaid, the Sum of Four Pence:
- For every Horse, Mule or Ass, laden or unladen, and not drawing, the Sum of Two Pence:
- For every Drove of Oxen or Neat Cattle, the Sum of One Shilling and Three Pence per Score (and so in proportion for a greater or less Number):
- For every Drove of Swine, Sheep or Lambs, the Sum of Five Pence per Score (and so in proportion for a greater or less Number).
- But when Toll shall have been once paid at any One of the said last mentioned Gates or Bars for any Horse or other Beast, no Toll shall be charged during the same Day (to be computed from Midnight to Midnight) for the same Horse or other Beast on passing through any other of the said last mentioned Gates or Bars, or on returning or repassing through the same Gate or Bar, except in the following Instance; (that is to say,)
- Every Horse or other Beast drawing any loaded Waggon, Cart, Wain or Dray, shall be charged with a full Toll for every First, Third, Fifth and Seventh Time of passing along the said last mentioned Road, when drawing any loaded Waggon, Cart, Wain or Dray as aforesaid:
- All Horses and other Beasts drawing any Post Chaise or other Carriage travelling for Hire, shall be charged for every Time of passing or repassing along the said last mentioned Roads, upon a fresh Hiring thereof; and in like Manner all Horses and other Beasts drawing any Stage Coach, Van, Caravan or other Stage Carriage carrying Passengers for Pay, Hire or Reward, after Toll shall have been taken for the First Time of passing, shall be charged with One other full Toll for the Second Time of passing along the said last mentioned Roads, but not with any further Toll during the same Day; and the merely returning or coming back again, after having paid for passing, shall not be considered a Second Time of passing, so as to render them liable to the Second Toll:
- All Horses and other Beasts of Draught for which Toll shall have been paid on passing through any of the said Gates or Bars, shall be charged with another Toll on passing through any other of the said Gates or Bars, or on returning or repassing through the same Gate or Bar, drawing another or different Waggon, Wain, Cart or other such Carriage.

AT each of the Gates and Bars now erected or to be erected on or by the Side of the Road mentioned and described in the Seventh Part of the said First Schedule, there may be levied and taken the Tolls following; (that is to say,)

Second
Schedule.

Kilburn.

- For Six Horses or other Beasts of Draught, drawing any Coach, Chariot, Vis-a-vis, Landau, Berlin, Chaise, Hearse or Litter, or such like Carriage, the Sum of Two Shillings: 59 G. 3. c. 47. § 5.
- For Four Horses or other Beasts of Draught, drawing any such like Carriage, the Sum of One Shilling and Four Pence:
- For Three Horses or other Beasts of Draught, drawing any such like Carriage, the Sum of One Shilling:
- For Two or One, drawing any such like Carriage, the Sum of Eight Pence:
- For Two Horses or other Beasts of Draught, drawing any Two Wheeled Chaise or Chair, the Sum of Eight Pence:
- For One Horse or other Beast of Draught, drawing any such like Chaise or Chair, the Sum of Four Pence:
- For Five Horses or other Beasts of Draught, drawing any Waggon, Wain or other Four Wheeled Carriage, having the Soles of the Fellies of the Wheels of the Breadth or Gauge of Six Inches or upwards, the Sum of One Shilling and Two Pence:
- For Four or Three Horses, or other Beasts of Draught, drawing any such like Carriage, the Sum of Nine Pence:
- For Two Horses or other Beasts of Draught, drawing any such like Carriage, the Sum of Seven Pence:
- For Four Horses or other Beasts of Draught, drawing any Waggon, Wain or other Four Wheeled Carriage, having the Soles of the Fellies of the Wheels of less Breadth or Gauge than Six Inches, the Sum of One Shilling and Five Pence:
- For Three Horses or other Beasts of Draught, drawing any such like Carriage, the Sum of One Shilling and Two Pence:
- For Two or One, drawing any such like Carriage, the Sum of Nine Pence:
- For Four Horses or other Beasts of Draught, drawing any Cart or other Two Wheeled Carriage, having the Soles of the Fellies of the Wheels of the Breadth or Gauge of Six Inches or upwards, the Sum of Seven Pence:
- For Three Horses or other Beasts of Draught, drawing any such like Cart or other Two Wheeled Carriage, the Sum of Five Pence:
- For Two Horses or other Beasts of Draught, drawing any such like Cart or other Two Wheeled Carriage, the Sum of Four Pence:
- For One Horse or other Beast of Draught, drawing any such like Cart or other Two Wheeled Carriage, the Sum of Three Pence:
- For Three Horses or other Beasts of Draught, drawing any Cart or other Two Wheeled Carriage, having the Soles of the Fellies of the Wheels of less Breadth or Gauge than Six Inches, the Sum of Nine Pence:
- For Two Horses or other Beasts of Draught, drawing any such like Cart or other Two Wheeled Carriage, the Sum of Seven Pence:
- For One Horse or other Beast of Draught, drawing any such like Cart or other Two Wheeled Carriage, the Sum of Four Pence:

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For every Horse or Mule, laden or unladen, and not drawing, the Sum of Two Pence :

For every Ass, laden or unladen, and not drawing, the Sum of One Penny :

For every Drove of Oxen or other Neat Cattle, the Sum, per Score, of Ten Pence (and so in proportion for any less Number)

For every Drove of Hogs, Sheep or Lambs, the Sum, per Score, of Five Pence (and so in proportion for any less Number).

59 G. 3. c. 47.
§ 9. 12.

But when Toll shall have been once paid at any One of the said last mentioned Gates or Bars for any Horse or other Animal, no Toll shall be charged during the same Day (to be computed from Midnight to Midnight) for the same Horse or other Animal on passing through any other of the said last mentioned Gates or Bars, or on returning or repassing through the same Gate or Bar, except in the following Instance ; (that is to say,)

All Horses, Mules and other Beasts drawing any Post Chaise or other Carriage travelling for Hire, shall be charged for every Time of passing or repassing along the said last mentioned Roads upon a fresh Hiring thereof.

Highgate and
Hampstead.

AT each of the Gates and Bars now erected or to be erected on or by the Side of the Roads mentioned and described in the Eighth Part of the said First Schedule (except the new Road from Islington to Tottenham Court Road) there may be levied and taken the Tolls following ; (that is to say,)

1 & 2 G. 4.
c. 110. § 23.

For every Coach, Berlin, Landau, Hearse, Chaise Marine, Chariot, Calash, Curricule, Chaise, Chair or Pleasure Cart, drawn by Six Horses or other Beasts, the Sum of One Shilling and Sixpence ; and drawn by Four Horses or other Beasts, the Sum of One Shilling ; and drawn by Two Horses or other Beasts, the Sum of Sixpence ; and drawn by One Horse or other Beast, the Sum of Four Pence :

For every Waggon or other Carriage with Three or Four Wheels of less Breadth than Six Inches, the Sum of Eight Pence :

For every Waggon or other Carriage with Three or Four Wheels of the Breadth of Six Inches or upwards, not laden with Hay or Straw the Sum of Sixpence ; laden with Hay or Straw, the Sum of Two Pence :

For every Cart or other Carriage on Springs with Two Wheels, the Sum of Three Pence :

For every Cart, Dray or other Carriage not on Springs with Two Wheels, the Sum of Two Pence :

For every Horse, Mare, Gelding or Mule, laden or unladen, and not drawing, the Sum of Two Pence :

For every Ass, the Sum of One Penny :

For every Drove of Oxen or Neat Cattle, the Sum of, per Score, Sixpence (and so in proportion for any greater or less Number) :

For every Drove of Calves, Hogs, Sheep or Lambs, the Sum of, per Score, Three Pence (and so in proportion for any greater or less Number).

1 & 2 G. 4.
c. 110. § 31.

But when Tolls shall have been once paid at any One of the said last mentioned Gates or Bars, for any Carriage, Horse or other Vehicle or Animal, no Toll shall be charged during the same Day
(to

(to be computed from Midnight to Midnight) for the same Carriage, Horse or other Vehicle or Animal, on passing through any other of the said Gates or Bars, or on returning or repassing through the same Gate or Bar, except in the following Instances ; (that is to say,)

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Every Hackney Coach, Chariot or Cabriolet shall be charged for every Time of passing through any of the said last mentioned Gates or Bars, unless the Person or Persons by whom the same shall for the Time being be hired shall have then already during the same Day paid Toll for the same on the said last mentioned Roads, and shall produce a Ticket denoting the same, or unless such Hackney Coach, Chariot or Cabriolet shall be returning empty after having set down a Person or Persons who shall during the same Day have paid Toll for the same on the said last mentioned Roads :

Every Stage Coach, after Toll shall have been taken for the First Time of passing and returning or passing only, shall be charged with One Half Toll for the Second Time of passing along the said last mentioned Roads, but not with any further Toll during the same Day :

All Carts and Carriages carrying Bricks, Tiles or Breeze, Ashes, Clay or Compost, to be used for making Bricks or Tiles, shall, after Toll shall have been taken for the First Time of passing and returning, or passing only, be again charged with the full Toll for passing the Second Time along the said last mentioned Roads, but not with any further Toll during the same Day.

And at each of the Gates and Bars now erected or to be erected on or by the Side of the said new Road from Islington to Tottenham Court Road, there may be levied and taken the Tolls following ; (that is to say,)

New Road.
(Hampstead
and Highgate
Trust.)

For every Horse, Mule or Ass, drawing or not drawing, the Sum of One Penny :

1 & 2 G. 4.
c. 110. § 23.

For every Drove of Oxen, Cows or Neat Cattle, the Sum of, per Score, Two Pence, (and so in proportion for any greater or less Number) :

For every Drove of Calves, Hogs, Sheep or Lambs, the Sum of, per Score, One Penny (and so in proportion for any greater or less Number).

But when Tolls shall have been once paid at any One of the said last mentioned Gates or Bars, for any Horse or other Animal, no Toll shall be charged during the same Day (to be computed from Midnight to Midnight) for the same Horse or other Animal, on passing through any other of the said last mentioned Gates or Bars, or on returning or repassing through the same Gate or Bar, except in the following Instances ; (that is to say,)

All Horses or other Animals, drawing any Hackney Coach, Chariot or Cabriolet, shall be charged for every Time of passing through any of the said last mentioned Gates or Bars, unless the Person or Persons by whom such Hackney Coach, Chariot or Cabriolet shall for the Time being be hired, shall have then already during the same Day paid Toll for the same on the said last mentioned Road, and shall produce a Ticket denoting the same,

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same, or unless such Hackney Coach, Chariot or Cabriolet shall be returning empty after having set down a Person or Persons who shall during the same Day have paid Toll for the same on the said last mentioned Road :

1 & 2 G. 4.
c. 110. § 32.

All Horses or other Animals, drawing any Stage Coach, after Toll shall have been taken for the First Time of passing and returning, or passing only, shall be charged with One Half Toll for the Second Time of passing along the said last mentioned Road, but not with any further Toll during the same Day :

All Horses or other Animals, drawing any Cart or Carriage carrying Bricks, Tiles or Breeze, Ashes, Clay or Compost to be used for making Bricks or Tiles, shall, after Toll shall have been taken for the First Time of passing and returning, or passing only, be again charged with the full Toll for passing the Second Time along the said last mentioned Road, but not with any further Toll during the same Day.

City Road.

At each of the Gates and Bars erected or to be erected on or by the Side of the Road mentioned and described in the Ninth Part of the said First Schedule, there may be levied and taken the Tolls following ; (that is to say,)

5 G. 4. c. 61.
§ 12.

For every Horse, Mule or Ass, drawing or not drawing, One Penny :

For every Drove of Oxen or Neat Cattle, per Score, Five Pence (and so in proportion for any greater or less Number) :

For every Drove of Calves, Hogs, Sheep or Lambs, per Score, Two Pence Halfpenny (and so in proportion for any greater or less Number).

§ 13, 14.

But when Toll shall have been once paid at any One of the said last mentioned Gates or Bars, for any Horse or other Animal, no Toll shall be charged during the same Day (to be computed from Midnight to Midnight) for the same Horse or other Animal, on passing through any other of the said last mentioned Toll Gates or Side Gates, or on repassing through the same Toll Gate or Side Gate, except in the following Instances ; (that is to say,)

5 G. 4. c. 61.
§ 15.

All Horses and other Animals, drawing any Post Chaise or other Carriage travelling for Hire, shall be charged for every Time of passing along the said last mentioned Road upon a fresh Hiring thereof :

All Horses or other Animals, drawing any Stage Coach, or any Stage Waggon, Van, Caravan or other Stage Carriage conveying Passengers or Goods for Pay, Hire or Reward, shall be charged with Toll for every Time of passing along the said last mentioned Road.

Stamford Hill
Roads.

At each of the Gates and Bars erected or to be erected on or by the Side of the Roads mentioned and described in the Tenth Part of the said First Schedule there may be levied and taken the Tolls following ; (that is to say,)

55 G. 3. c. 59.
§ 50.

For every Coach, Berlin, Landau, Landaulet, Barouche, Hearse, Chaise Marine, Chariot, Calash, Phaeton Curricule, Chaise or Chair, with Four or Three Wheels, drawn by Six Horses or other Beasts, the Sum of Three Shillings ; and drawn by Three, Four or Five Horses or other Beasts, the Sum of Two Shillings ;
and

and drawn by Two Horses or other Beasts, or by One Horse or other Beast, the Sum of One Shilling:

For every Curricule, Chaise, Chair or other such like Carriage with Two Wheels, whether such Carriage be upon Springs or not, and drawn by Two or more Horses or other Beasts, the Sum of Eight Pence; and drawn by One Horse or other Beast, the Sum of Sixpence:

For every Waggon, Wain or other Carriage with Four or Three Wheels, and having the Wheels of the Breadth of Six Inches or upwards, and under Sixteen Inches, and laden with Hay or Straw bound up or sold or disposed of, or going to be sold or disposed of, the Sum of Sixpence; and having the Wheels of the Breadth of Sixteen Inches, with flat Surfaces, and laden with Hay or Straw, the Sum of Three Pence:

For every Waggon, Wain or other Carriage, not laden with Hay or Straw bound up or sold or disposed of, or going to be sold or disposed of, and having the Wheels of the Breadth of Nine Inches, and rolling a Surface of Sixteen Inches for each Wheel, the Sum of One Penny; and also for each Horse or other Beast drawing the same, the additional Sum of One Penny:

For every Waggon, Wain or other Carriage with Four or Three Wheels, and having the Wheels of the Breadth of Six Inches or upwards, and not laden with Hay or Straw bound up or sold or disposed of, or going to be sold or disposed of, the Sum of One Shilling:

For every Waggon, Wain or other Carriage with Four or Three Wheels, and having the Wheels of the Breadth of Four Inches or upwards, but of less Breadth than Six Inches, drawn by not more than Three Horses or other Beasts, the Sum of One Shilling and Three Pence; and also for each other Horse or Beast drawing the same, the additional Sum of Two Pence:

For every Waggon, Wain or other Carriage with Four or Three Wheels, and having the Wheels of less Breadth than Four Inches, drawn by not more than Three Horses or other Beasts, the Sum of One Shilling and Sixpence; and also for each Horse or Beast drawing the same, the additional Sum of Three Pence:

For every Cart or other Two Wheel Carriage, having the Wheels of the Breadth of Sixteen Inches, with flat Surfaces, and laden with Hay or Straw bound up or sold or disposed of, or going to be sold or disposed of, the Sum of Three Pence:

For every Cart or other Two Wheel Carriage, having the Wheels of the Breadth of Sixteen Inches, with flat Surfaces, not laden with Hay or Straw bound up or sold or disposed of, or going to be sold or disposed of, and drawn by Five Horses or other Beasts, the Sum of Sixpence; and drawn by Four or Three Horses or other Beasts, the Sum of Four Pence; and by Two Horses or other Beasts, or by One Horse or other Beast, the Sum of Three Pence:

For every Cart or other Two Wheel Carriage, having the Wheels of the Breadth of Six Inches or upwards, and laden with Hay or Straw bound up or sold or disposed of, or going to be sold or disposed of, the Sum of Four Pence Halfpenny:

For every Cart or other Two Wheel Carriage, having the Wheels of the Breadth of Six Inches or upwards not laden with Hay or Straw

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Straw bound up or sold or disposed of, or going to be sold or disposed of, and drawn by Five Horses or other Beasts, the Sum of Nine Pence; and drawn by Four Horses or other Beasts, the Sum of Eight Pence; and drawn by Three Horses or other Beasts, the Sum of Sixpence; and drawn by Two Horses or other Beasts, or by One Horse or other Beast, the Sum of Four Pence Halfpenny:

For every Cart or other Two Wheel Carriage, having the Wheels of the Breadth of Four Inches or upwards, but of less Breadth than Six Inches, drawn by One Horse or other Beast, the Sum of Five Pence; and also for each other Horse or Beast drawing the same, the additional Sum of One Penny Halfpenny:

For every Cart or other Two Wheel Carriage, having the Wheels of less Breadth than Four Inches, drawn by One Horse or other Beast, the Sum of Sixpence; and also for each other Horse or Beast drawing the same, the additional Sum of Two Pence:

For every Horse, Mare, Gelding, Mule or Ass, laden or unladen, and not drawing, the Sum of One Penny Halfpenny:

For every Drove of Oxen or other Neat Cattle, the Sum of, per Score, Ten Pence (and so in proportion for any greater or less Number):

For every Drove of Calves, Hogs, Sheep or Lambs, the Sum of, per Score, Five Pence (and so in proportion for any greater or less Number):

55 G.3. c.59.
§ 54.

For every Stage Coach which shall usually carry or shall be licensed or so constructed as to carry more than Six Inside Passengers, One Half Toll in addition to the Toll to be charged thereon according to the foregoing Table.

§ 51.

But when the above mentioned Tolls shall have been once paid at any One of the said last mentioned Gates or Bars for any Carriage, Horse or other Vehicle or Animal, the said above mentioned Toll shall not be again charged during the same Day (to be computed from Midnight to Midnight) for the same Carriage, Horse or other Vehicle or Animal, on passing through any other of the said last mentioned Gates or Bars, or on returning or repassing through the same Gate or Bar, except in the following Instances; (that is to say,)

All Waggon, Carts and other Carriages laden with Bricks, Tiles, Stone, Malt, Flour, Coals, Breeze, Soil or Ashes for making or burning Bricks or Tiles, or laden with Timber wrought or unwrought, shall be charged with the above mentioned Toll once for every Time of passing along the said Roads; but the merely returning or coming back again after having paid for passing shall not be considered a Second Time of passing, so as to render them liable to a Toll:

All Stage Coaches shall be charged with the above mentioned Toll for the First Time of passing, and again for the Second Time of passing along the said Roads, but not with the said Toll again during the same Day; but the merely returning or coming back again, after having paid for passing, shall not be considered a Second Time of passing, so as to render them liable to a Toll:

§ 55.

Every returning Post Chaise with any Person or Persons therein, passing through any of the said last mentioned Gates or Bars, shall

shall be charged with the above mentioned Toll as well as on going, unless a Ticket be produced denoting the said Toll to have been then already paid on that Day by the Person or Persons then in or hiring such Post Chaise :

Every Hackney Coach, Chariot or Cabriolet shall be charged for every Time of passing through any of the said last mentioned Gates or Bars, unless the Person or Persons by whom the same shall for the Time being be hired shall have then already during the same Day paid Toll for the same, and shall produce a Ticket denoting the same, or unless such Hackney Coach, Chariot or Cabriolet shall be returning empty after having set down a Person or Persons who shall during the same Day have paid Toll for the same.

§ 56.

And at each of the Gates and Bars erected or to be erected on or by the Side of the Roads mentioned and described in the said Tenth Part of the said First Schedule, and called The Stamford Hill Roads, there may be levied and taken for all Carriages, Horses and other Vehicles and Animals, for which the above mentioned Toll shall have been paid during the same Day (to be computed as aforesaid) at any Gate or Bar erected or to be erected on or by the Side of the said Roads mentioned and described in the said Tenth Part of the said First Schedule, and called The Green Lanes Roads; and so in like Manner at each of the Gates and Bars now erected or to be erected on or by the Side of the said Roads called The Green Lanes Roads, there may be levied and taken for all Carriages, Horses and other Vehicles and Animals for which the above mentioned Toll shall have been paid during the same Day (to be computed as aforesaid) at any Gate or Bar erected or to be erected on or by the Side of the said Roads called The Stamford Hill Roads, the Tolls following; (that is to say,)

§ 50.

For every Coach, Berlin, Landau, Landaulet, Barouche, Hearse, Chaise Marine, Chariot, Calash, Phaeton, Curricule, Chaise or Chair, with Four or Three Wheels, drawn by Six Horses or other Beasts, the Sum of One Shilling and Sixpence; and drawn by Three, Four or Five Horses or other Beasts, the Sum of One Shilling; and drawn by Two Horses or other Beasts, or by One Horse or other Beast, the Sum of Sixpence :

For every Curricule, Chaise, Chair or other such like Carriage, with Two Wheels, whether such Carriage be upon Springs or not, and drawn by Two or more Horses or other Beasts, the Sum of Four Pence, and drawn by One Horse or other Beast, the Sum of Three Pence :

For every Waggon, Wain or other Carriage, with Four or Three Wheels, and having the Wheels of the Breadth of Six Inches or upwards, and under Sixteen Inches, and laden with Hay or Straw bound up or sold or disposed of, or going to be sold or disposed of, the Sum of Three Pence ; and having the Wheels of the Breadth of Sixteen Inches, with Flat Surfaces, and laden with Hay or Straw, the Sum of One Penny Halfpenny :

For every Waggon, Wain or other Carriage, not laden with Hay or Straw bound up or sold or disposed of, or going to be sold or disposed of, and having the Wheels of the Breadth of Nine Inches

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- Inches, and rolling a Surface of Sixteen Inches for each Wheel, the Sum of One Halfpenny; and also for each Horse or other Beast drawing the same, the additional Sum of One Halfpenny:
- For every Waggon, Wain or other Carriage with Four or Three Wheels, and having the Wheels of the Breadth of Six Inches or upwards, and not laden with Hay or Straw bound up or sold or disposed of, or going to be sold or disposed of, the Sum of Sixpence:
- For every Waggon, Wain or other Carriage with Four or Three Wheels, and having the Wheels of the Breadth of Four Inches or upwards, but of less Breadth than Six Inches, drawn by not more than Three Horses or other Beasts, the Sum of Seven Pence Halfpenny; and also for each other Horse or Beast drawing the same, the additional Sum of One Penny:
- For every Waggon, Wain or other Carriage with Four or Three Wheels, and having the Wheels of less Breadth than Four Inches, and drawn by not more than Three Horses or other Beasts, the Sum of Nine Pence; and also for each other Horse or Beast drawing the same, the additional Sum of One Penny Halfpenny:
- For every Cart or other Two Wheel Carriage, having the Wheels of the Breadth of Sixteen Inches, with Flat Surfaces, and laden with Hay or Straw bound up or sold or disposed of, or going to be sold or disposed of, the Sum of One Penny Halfpenny:
- For every Cart or other Two Wheel Carriage, having the Wheels of the Breadth of Sixteen Inches, with Flat Surfaces, not laden with Hay or Straw bound up or sold or disposed of, or going to be sold or disposed of, and drawn by Five Horses or other Beasts, the Sum of Three Pence; and drawn by Four or Three Horses or other Beasts, the Sum of Two Pence; and drawn by Two Horses or other Beasts, or by One Horse or other Beast, the Sum of One Penny Halfpenny:
- For every Cart or other Two Wheel Carriage, having the Wheels of the Breadth of Six Inches or upwards, and laden with Hay or Straw bound up or sold or disposed of, or going to be sold or disposed of, the Sum of Two Pence Halfpenny:
- For every Cart or other Two Wheel Carriage, having the Wheels of the Breadth of Six Inches or upwards, not laden with Hay or Straw bound up or sold or disposed of, or going to be sold or disposed of, and drawn by Five Horses or other Beasts, the Sum of Four Pence Halfpenny; and drawn by Four Horses or other Beasts, the Sum of Four Pence; and drawn by Three Horses or other Beasts, the Sum of Three Pence; and drawn by Two Horses or other Beasts, or by One Horse or other Beast, the Sum of Two Pence Halfpenny:
- For every Cart or other Two Wheel Carriage, having the Wheels of the Breadth of Four Inches or upwards, but of less Breadth than Six Inches, drawn by One Horse or other Beast, the Sum of Two Pence Halfpenny; and also for each other Horse or Beast drawing the same, the additional Sum of One Penny:
- For every Cart or other Two Wheel Carriage, having the Wheels of less Breadth than Four Inches, drawn by One Horse or other Beast, the Sum of Three Pence; and also for each other Horse or Beast, drawing the same, the additional Sum of One Penny:

For

For every Horse, Mare, Gelding, Mule or Ass, laden or unladen, and not drawing, the Sum of One Penny:

For every Drove of Oxen or other Neat Cattle, the Sum of, per Score, Five Pence (and so in proportion for any greater or less Number):

For every Drove of Calves, Hogs, Sheep or Lambs, the Sum of, per Score, Two Pence Halfpenny (and so in proportion for any greater or less Number):

For every Stage Coach which shall usually carry or shall be licensed or so constructed as to carry more than Six Inside Passengers, One Half Toll in addition to the Toll to be charged thereon according to the foregoing Table. 55 G.3. c.59. § 54.

But when the said last mentioned Toll shall have been once paid at any One of the said last mentioned Gates or Bars for any Carriage, Horse or other Vehicle or Animal, the same Toll shall not be again charged during the same Day (to be computed from Midnight to Midnight) for the same Carriage, Horse or other Vehicle or Animal, on passing through any other of the said last mentioned Gates or Bars, or on repassing through the same Gate or Bar, except in the following Instances; (that is to say.)

All Stage Coaches shall be charged with the above mentioned Toll for the First Time, and again for the Second Time of passing, but not with the said Toll again during the same Day:

Every returning Post Chaise with any Person or Persons therein, passing through any of the said last mentioned Gates or Bars, shall be charged with the said last mentioned Toll as well as on going, unless a Ticket be produced denoting the said Toll to have been then already paid on that Day by the Person or Persons then in or hiring such Post Chaise: § 55.

Every Hackney Coach, Chariot or Cabriolet shall be charged with the said last mentioned Toll for every Time of passing through any of the said last mentioned Gates or Bars, unless the Person or Persons by whom the same shall for the Time being be hired shall have then already during the same Day paid the said Toll for the same, and shall produce a Ticket denoting the same, or unless such Hackney Coach, Chariot or Cabriolet shall be returning empty after having set down a Person or Persons who shall during the same Day have paid the said Toll for the same. § 56.

And in addition to the several Tolls hereinbefore mentioned, there may be levied and taken at each of the Gates and Bars erected or to be erected on or by the Side of the said Roads mentioned and described in the said Tenth Part of the said First Schedule, and called The Stamford Hill Roads, by way of Night Tolls, for all Carriages, Horses and other Vehicles and Animals passing during the Times and between the Hours hereinafter mentioned; (that is to say,) from the Twenty ninth Day of September to the Thirty first Day of October (both inclusive) between the Hours of Six in the Evening and Five in the Morning; in the Month of November, between Five in the Evening and Six in the Morning; from the First of December to the Fifteenth of January (both inclusive) between Four in the Evening and Six in the Morning; from the Sixteenth of January to the Fifteenth of February (both inclusive) between Five in the Evening and Six in the Morning; § 57.

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and from the Sixteenth of February to the Twenty fourth of March (both inclusive) between Six in the Evening and Five in the Morning, the Tolls following; (that is to say,)

For every Coach, Berlin, Landsau, Landaulet, Barouche, Hearse, Chaise Marine, Chariot, Calash, Phaeton, Curricule, Chaise, Chair and other Carriage of Pleasure, with Four or Three Wheels, and drawn by Six Horses or other Beasts, the Sum of Two Shillings; and drawn by Three, Four or Five Horses or other Beasts, the Sum of One Shilling and Four Pence; and drawn by Two Horses or other Beasts, or by One Horse or other Beast, the Sum of Eight Pence:

For every Curricule, Chaise, Chair or other such like Carriage, with Two Wheels (whether such Carriage be upon Springs or not), and drawn by Two or more Horses or other Beasts, the Sum of Eight Pence; and drawn by One Horse or other Beast, the Sum of Sixpence:

For every Horse, Mare, Gelding or Mule, laden or unladen, and not drawing, the Sum of One Penny Halfpenny.

55 G.S. c. 109.
§ 39.

And if the said Commissioners shall think proper to begin to watch and light any Part of the said Stamford Hill Roads before the Twenty ninth Day of September in any Year, it shall be lawful for them to appoint that the said Night Tolls shall commence on any Day between the Thirty first Day of August and the Twenty ninth Day of September, instead of the Twenty ninth Day of September, such Day not being before the Day on which the watching and lighting of the said Roads shall commence.

Old Street.

AT each of the Gates and Bars erected or to be erected on or by the Side of the Roads mentioned and described in the Eleventh Part of the said First Schedule, there may be levied and taken the Tolls following; (that is to say,)

29 G.S. c. 82.
§ 2:

For every Horse, Mare, Gelding, Mule or Ass, laden or unladen, drawing or not drawing, the Sum of One Penny:

For every Drove of Oxen or Neat Cattle, the Sum of, per Score, Five Pence (and so in proportion for any greater or less Number):

For every Drove of Calves, Hogs, Sheep or Lambs, the Sum of, per Score, Two Pence Halfpenny (and so in proportion for any greater or less Number).

§ 3.

But when Toll shall have been once paid at any One of the said last mentioned Gates or Bars for any Horse or other Animal, no Toll shall be charged during the same Day (to be computed from Midnight to Midnight) for the same Horse or other Animal, on passing through any other of the said last mentioned Gates or Bars, or on returning or repassing through the same Gate or Bar:

29 G.S. c. 82.
§ 5.

And no Toll shall be taken at any Side Gate or Bar which may be erected on the Road leading into Hoxton Town.

Hackney.

AT each of the Gates and Bars now erected or to be erected on or by the Side of the Roads mentioned and described in the Twelfth Part of the said First Schedule, and leading from Shore-ditch Church through Hackney to Stamford Hill, and from Hackney across Cambridge Heath, over Bethnal Green, to the

Turnpike

Turnpike Gate at Mile End, there may be levied and taken the Tolls following; (that is to say,)

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For every Coach, Berlin, Landau, Hearse, Chaise Marine, Chariot, Calash, Curricule, Chaise or Pleasure Cart, drawn by Six Horses, Nine Pence; by Three or Four Horses, Sixpence; by Two Horses, Four Pence: 1 & 2 G.4. c.112. § 20.

For every Chaise, Chair or Pleasure Cart, with One or Two Horses, and Three or Four Wheels, Four Pence:

For every Chaise, Chair or Pleasure Cart, with One Horse and Two Wheels, Three Pence:

For every Waggon or Cart, Four Pence:

For every Dray with Two or more Horses, Four Pence; with One Horse, Three Pence:

For every Single Horse, from Michaelmas to Lady Day, One Penny:

For every Single Horse, from Lady Day to Michaelmas, One Penny Halfpenny:

For every Drove of Neat Cattle, per Score, Five Pence (and so in proportion for a larger or smaller Number):

For every Drove of Calves, Sheep, Lambs or Hogs, per Score, Two Pence Halfpenny (and so in proportion for a larger or smaller Number).

And at each of the Gates and Bars erected or to be erected on or by the Side of the Roads mentioned and described in the said Twelfth Part of the said First Schedule, and leading from Kingsland Green through Dalston to Church Street, there may be levied and taken the Tolls following; (that is to say,) Hackney, continued.

For every Coach, Berlin, Landau, Hearse, Chaise Marine, Chariot, Calash, Curricule, Chaise or Pleasure Cart, drawn by Six or more Horses or other Beasts, the Sum of Ten Pence; and drawn by Three or Four Horses or other Beasts, the Sum of Seven Pence; and drawn by Two Horses or other Beasts, the Sum of Five Pence: 1 & 2 G.4. c.112. § 20.

For every Chaise, Chair or Pleasure Cart, drawn by One or Two Horses or other Beasts, and with Three or Four Wheels, the Sum of Five Pence:

For every Chaise, Chair or Pleasure Cart, drawn by One Horse or other Beast, and with Two Wheels, the Sum of Four Pence:

For every Waggon or Cart, drawn by One Horse or other Beast, and with Two Wheels, the Sum of Five Pence:

For every Dray, drawn by Two or more Horses or other Beasts, the Sum of Five Pence; and drawn by One Horse or other Beast, the Sum of Four Pence:

For every Single Horse, from Michaelmas Day to Lady Day (Michaelmas Day inclusive), the Sum of One Penny Halfpenny:

For every Single Horse, from Lady Day to Michaelmas Day (Lady Day inclusive), the Sum of Two Pence:

For every Drove of Oxen, Cows or Neat Cattle, a Sum not exceeding, per Score, Sixpence (and so in proportion for any greater or less Number):

For every Drove of Calves, Pigs, Sheep or Lambs, a Sum not exceeding, per Score, Three Pence (and so in proportion for any greater or less Number).

Second
Schedule.

1 & 2 G. 4.
c. 112. § 23.

But when Toll shall have been once paid at any One of the Gates or Bars erected or to be erected on or by the Side of the said Roads mentioned and described in the said Twelfth Part of the said First Schedule, for any Carriage, Horse or other Vehicle or Animal, no Toll shall be charged during the same Day (to be computed from Midnight to Midnight) for the same Carriage, Horse or other Vehicle or Animal, on passing through any other Gate or Bar erected or to be erected on or by the Side of any of the said Roads, or on returning or repassing through the same Gate or Bar, except in the following Instances; (that is to say,)

§ 24. Every Person who shall have paid Toll as aforesaid at any Gate or Bar erected or to be erected on or by the Side of the said Roads leading from Shoreditch Church to Stamford Hill, and from Hackney to Mile End, for any Carriage, Horse or other Vehicle or Animal, shall pay for the same at the first Gate or Bar which he shall pass through therewith, on or by the Side of the said Road from Kingsland Green to Church Street, the further Sum of One Penny:

§ 25. All Persons passing with any Horse or Beast drawing any Waggon, Cart or other Carriage laden with Bricks, Tiles, Stones, Lime or Coals, Breeze, Soil, Sand or Ashes for making or burning Bricks or Tiles, or laden with Timber wrought or unwrought, shall pay Toll for every Time of passing with any Waggon, Cart or Carriage so laden on any Part of the said Roads, but shall not pay for returning or repassing with such Waggon, Cart or Carriage, if unladen, nor for returning the First Time in each Day laden, in case the Toll shall have been previously paid on the same Day for such Horse, Beast, Waggon, Cart or Carriage going to fetch any such Bricks, Tiles, Stones, Lime, Coals, Breeze, Soil, Sand, Ashes or Timber.

§ 21. And in addition to the several Tolls hereinbefore mentioned, there shall, at each of the Gates and Bars erected or to be erected on or by the Side of the said Roads from Shoreditch Church to Stamford Hill, be levied and taken from every Twenty ninth Day of September to the Twenty fifth Day of March then next (both Days inclusive), by way of Night Tolls, for all Carriages, Horses and other Vehicles and Animals, passing between the Hours of Five in the Evening and Seven in the Morning, the Tolls following; (that is to say,)

For every Coach, Berlin, Landau, Hearse, Chaise Marine, Chariot, Calash, Curricule, Chaise, Chair, Pleasure Cart or any other Carriage (except Waggon, Wains, Carts and Drays used for Husbandry and Carriage of Goods, and not for Pleasure,) drawn by Six Horses or other Cattle, the Sum of Four Pence Halfpenny; and drawn by Three or Four Horses or other Cattle, the Sum of Three Pence; and drawn by Two Horses or other Cattle, the Sum of Two Pence:

For every Chaise, Chair or Pleasure Cart with Two Wheels, drawn by One Horse or other Cattle, the Sum of One Penny Halfpenny; and for every Chaise, Chair or Pleasure Cart with Three or Four Wheels, drawn by One or Two Horses or other Cattle, the Sum of Two Pence; and for every Horse or Mule, laden or unladen, and not drawing, the Sum of One Halfpenny.

But

But when the said Night Toll shall have been once paid at any One of the said last mentioned Gates or Bars for any Carriage, Horse or other Vehicle or Animal, the same shall not be again charged during the same Night for the same Carriage, Horse or other Vehicle or Animal, on passing through any other of the said last mentioned Gates or Bars, or on returning or repassing through the same Gate or Bar.

Second
Schedule.

1 & 2 G. 4.
c. 112. § 23.

AT each of the Gates and Bars erected or to be erected on the **Lea Bridge.** Bridge, and on or by the Side of the Roads mentioned and described in the Fifteenth Part of the said First Schedule, there may be levied and taken the Tolls following; (that is to say,)

For every Coach, Chariot, Landau, Berlin, Chaise, Chair, Calash **30 G. 2. c. 59.**
or other Vehicle whatsoever, drawn by Six Horses or other **§ 4.**

Cattle, the Sum of Two Shillings; by Four Horses or other Cattle, the Sum of One Shilling and Sixpence; and by Two or Three Horses or other Cattle, the Sum of One Shilling:

For every Chaise, Chair, Calash or other Vehicle whatsoever, drawn by One Horse, the Sum of Sixpence:

For every Waggon, Wain, Dray, Car, Cart or such like Carriage, the Wheels whereof shall be under the Breadth of Six Inches, the Sum of, for every Wheel, Three Pence:

For every Horse or other Cattle drawing the same, One Penny:

For every Waggon, Wain, Dray, Car, Cart or such like Carriage, the Wheels whereof shall be of the Breadth of Six Inches or upwards, the Sum of, for every Wheel, One Penny:

For every Horse or other Cattle drawing the same, One Penny:

For every Horse, Mule or Ass, not drawing, the Sum of Two Pence:

For every Foot Passenger passing the said Bridge, One Halfpenny:

For every Drove of Oxen or Neat Cattle, the Sum of, per Score, One Shilling and Eight Pence (and after that Rate for any greater or less Number):

For every Drove of Calves, Hogs, Sheep or Lambs, the Sum of, per Score, Ten Pence (and after that Rate for a greater or less Number).

§ 6.

But no Toll shall be levied or taken at any of the said last mentioned Gates or Bars, for any Waggon, Horse or other Vehicle or Animal, which shall be employed or used in the carrying away any Grass or Hay from the Marsh called Walthamstow Marsh or Low Layton Marsh, which shall have been mown or made therein, and not sold or disposed of, but passing to be laid up in the Out-houses, Barns, Yards or Grounds of the Owners thereof, nor for any Horses, Mares, Geldings, Cows or other Cattle whatsoever, going over the said Bridge or through any of the said Gates or Bars to the said Marsh, for the Purpose of depasturing there only or returning from the same; nor for any Person or Persons leading or driving any of the said Carriages or Cattle to or from the said Marsh; nor from any Person or Persons being the Occupier or Occupiers of the House on the said Marsh, near the Place formerly called Jeremy's Ferry, or his, her or their known Servant or Servants; and when Toll shall have been once paid at any One of the said last mentioned Gates or Bars, for any Carriage, Horse or other Vehicle or Animal, no Toll shall be charged during the same Day (to be computed from Midnight to Midnight) for the

30 G. 2. c. 59.
§ 11.

Second
Schedule.

New Road
from Camden
Town to Hol-
loway.

5 G.4. c.138.
§ 9.

same Carriage, Horse or other Vehicle or Animal, on passing through any other of the said last mentioned Gates or Bars, or on returning or repassing through the same Gate or Bar.

AT each of the Gates and Bars erected or to be erected on the Roads mentioned and described in the Fourteenth Part of the said First Schedule, there may be levied and taken the Tolls following: (that is to say,)

For every Horse, Mule or Ass, laden or unladen, and not drawing, the Sum of One Penny :

For every Horse, Mule or Ass, drawing any Coach, Chaise, Waggon, Cart or other Carriage, the Sum of Two Pence :

For every Drove of Oxen, Cows or Neat Cattle, per Score, the Sum of Two Pence (and so in proportion for any greater or less Number) :

For every Drove of Calves, Hogs, Sheep or Lambs, per Score, the Sum of One Penny (and so in proportion for any greater or less Number) :

And in addition to the above mentioned Toll, for every Horse or other Beast, whether laden or unladen, drawing or not drawing, during such Times, between the First of April and the First of October, as the said Road shall be watered by the Commissioners (but only on such Parts of the said Road as shall be so watered), the further Toll of One Halfpenny.

§ 10.

But when Toll shall have been once paid at any One of the said last mentioned Gates or Bars for any Horse or other Animal, no Toll shall be charged during the same Day (to be computed from Midnight to Midnight) for the same Horse or other Animal, on passing through any other of the said last mentioned Gates or Bars, or on returning or repassing through the same Gate or Bar, except in the following Instances ; (that is to say,)

§ 12.

All Horses or other Animals drawing any Hackney Coach, Chariot or Cabriolet, shall be charged for every Time of passing through any of the said last mentioned Gates or Bars, unless the Person or Persons by whom the same shall for the Time being be hired, shall have then already during the same Day paid Toll for the same, and shall produce a Ticket denoting the same ; or unless such Hackney Coach, Chariot or Cabriolet, shall be returning empty after having set down a Person or Persons who shall during the same Day have paid Toll for the same :

5 G.4. c.138.
§ 11.

All Horses or other Animals drawing any Stage Coach after Toll shall have been taken for the First Time of passing and returning, or passing only, shall be charged with One Half Toll for the Second Time of passing, but not with any further Toll during the same Day :

§ 13.

All Horses or other Animals drawing any Waggon, Cart or other such Carriage carrying Bricks, Tiles or Breeze, Ashes, Clay or Compost, to be used for making Bricks or Tiles, shall, after Toll shall have been taken for the First Time of passing and returning, or passing only, be again charged with the full Toll for passing the Second Time, but not with any further Toll during the same Day.

The THIRD SCHEDULE to which the foregoing Act refers.

Third
Schedule.

PART THE FIRST.

Description of Premises.	Situation.	Occupiers Names.	Owners Names.
A Messuage or Tenement -	South Side of High Street, Kensington	Elizabeth Kingston	Elizabeth Kingston, Charles Chesterton, William Knight, John Clarke, John Alexander and Robert Slater, respectively.
Ditto -	Ditto -	Charles Chesterton	
Ditto -	Ditto -	James Rows -	
Ditto -	Ditto -	William Abbott -	
Ditto -	Ditto -	Henry Lucas -	
Ditto -	Ditto -	Thomas Chancellor	
Ditto -	Ditto -	Children Shooobridge	
Ditto -	Ditto -	Matthew Stapley -	
A small Tenement -	No. 1. Gardner's Buildings, Kensington, behind the last mentioned Messuage or Tenement	John Dove -	Sarah Goodman and Thomas Calcott, respectively.
A Messuage or Tenement -	High Street, in the Town of Fulham	Sarah Goodman	
Ditto -	Ditto -	William Beckett -	
Ditto -	Ditto -	George Hawkins -	
Ditto -	Ditto -	Sarah Redman -	
Ditto -	Ditto -	John James -	
Ditto -	Ditto -	Samuel Day -	
Ditto -	Ditto -	Sarah Mandens -	
Ditto -	Ditto -	James Carless -	
Ditto -	Ditto -	James Edwards -	
Ditto -	Ditto -	William House -	
Ditto -	Ditto -	William Fennell -	
Ditto -	Ditto -	John Wells -	
Ditto -	Ditto -	Thomas Cotton -	
Ditto -	Ditto -	Nancy Pearce -	
Ditto -	Ditto -	Thomas Richardson	
Slip of Land, Part of Fore Court of the Workhouse -	Fulham -	-	-
Messuage or Tenement and Part of a Nursery Ground	Road near Queen's Elm Gate and Selwood Lane -	William Salisbury -	Earl of Harrington and John Lewis Fleming.
Garden Ground	Selwood Lane, fronting the Fulham Road	William Harris Thomas Street -	Trustees of Henry Smith, deceased.

Third
Schedule.

PART THE SECOND.

Description of Premises.	Parish.	Owners Names.	Occupiers Names.	Lord of the Manor.
Garden Ground -	Chiswick	Mary Turley -	Benjamin Haman	Bishop of London.
Garden -	Acton	William Myers -	William Myers -	
Garden -	Ditto	Hayward -	Hayward -	
Garden -	Ditto	Firbey -	Firbey -	
Garden Ground, &c.	Ditto	Charles Knevelt -	Charles Knevelt	
Common -	Ditto	—	—	
Pasture Land -	Ditto	Rev. Mr. Brett -	Sarah Lovejoy -	
Pasture and Barn -	Ditto	John Henry Trough	Sarah Cooper -	
Garden, Cottage } and Barns }	Ditto }	Susan Black- more and Ann Roberts }	Joseph Carpenter	
Common -	Ealing -	—	—	
Pasture and Cottage	Acton -	John Essex -	John Essex -	
Court Yard and } Gates - }	Ditto }	Susan Black- more and Ann Roberts }	Joseph Carpenter	
House and Sheds	Chiswick	George Scott -	Benjamin Dring	
Pasture Land -	Ditto	Ditto -	George Scott -	
Garden Ground -	Fulham	Samuel Marryatt	Robert Hodges -	
Garden Ground } and Shed }	Ditto	Adam Askew -	Thomas Hodges	
Garden Ground -	Ditto	George Scott -	James Bacchus -	
Gardens in front of } Eleven Cottages }	Ditto }	Ditto -	Richard Stutch- bury and others }	
Common -	Ditto	—	—	
Cottages and Gar- } den Ground - }	Ditto }	Richard Toovey	Richard Toovey	
Court Yard (Half } Moon, &c. - }	Ditto }	George Scott -	Matthew Dean	
Garden Ground } and Shed }	Ditto }	Poor of Odiham	James Blake -	
Cottage and Garden	Ditto	Thomas Brooks -	Ditto -	
Garden Ground -	Ditto	John Lane -	George Dobson -	
Cottages and Garden	Ditto	Charles Curle	Richard Turner and William Anthony Can- burn - }	
Cottage, Sheds, } Yards, &c. - }	Ditto }	James Scott -	Jonathan Hastings	
Pasture Land -	Ditto }	James and Ste- phen Gomme }	Lucy Saunders	
Cottages and Garden	Ditto	Charlotte Boccius	Charlotte Boccius } and William } Bray - }	
Brick Fields -	Ditto	Millwood	Millwood -	
Waste Land -	Ditto }	James and Ste- phen Gomme }	George Scott -	
Cottage and Sheds	Ditto }	Gottenburgh Steinburgh }	Frederick Stock- dale - }	
Cottage and Garden	Ditto	Francis Jennings	James Ruel -	
Waste Land -	Ditto	Sir Hilgrove Turner	—	
Court Yard -	Ditto	—	Dowager Lady } Cockburn - }	
Common -	Chi- wick }	Dean and Chapter of Westminster }	—	

PART THE THIRD.

Description of Premises.	Parish and County.		Owners Names.	Occupiers Names.	Lord of the Manor.
Dwelling House and Court { Yard	Saint Mary Islington	Middlesex.	Richard Strong, William Francis Strong, Thomas Strong and — Nichols	Harrison.	{ — Tufnel, Esquire, — Creevy, Esquire, Trustees for — Tufnel an Infant, Ditto. Ditto. Ditto. Ditto. Ditto. Ditto. Ditto. Ditto. Ditto.
Ditto	Ditto	Ditto	Ditto	Stoddart.	
Ditto	Ditto	Ditto	Ditto (and Davidson, Leaseholder)	Davidson.	
Ditto	Ditto	Ditto	Ditto and ditto	Price.	
Ditto	Ditto	Ditto	Ditto (and Thompson, Leaseholder)	Farnell.	
Dwelling House	Ditto	Ditto	Ditto and ditto	Thompson.	
Ditto	Ditto	Ditto	Ditto and ditto	Phipps.	
Garden	Ditto	Ditto	Dr. Strachan, William Wilson, Esquire, Patron	Rev. — Derham.	
Dwelling House	Ditto	Ditto	Joseph Boucock, Trustee for Burton Copyhold	Sempie	
Ditto	Ditto	Ditto	Ditto	Gibson	
Ditto	Ditto	Ditto	Bambridge	Bambridge	
Ditto	Ditto	Ditto	Suffield	Suffield	
Dwelling House	Ditto	Ditto	Joseph Boucock, Trustee for — Burton Headworth, Leaseholder, & Bracebridge, Sub Leaseholder	Walker	
Ditto	Ditto	Ditto	Joseph Boucock, Trustee, &c. Bracebridge, Leaseholder	Bracebridge	
Public House	Ditto	Ditto	Mrs. — Wilthew, — Kinnard, — Wilthew and Catherine Wilthew	Smith	
Dwelling House	Ditto	Ditto	Peter Clark Blount	Peter Clark Blount	
Ditto	Ditto	Ditto	Ditto, and Mrs. Foucqueer	Price	
Ditto	Ditto	Ditto	Ditto and ditto	Brice	
Ditto	Ditto	Ditto	Mrs. Foucqueer (Jackson, Leaseholder)	Huckin	
Ditto	Ditto	Ditto	Mrs. Foucqueer	Tarry	
Ditto	Ditto	Ditto	Ditto	Pary	

Third
Schedule.

Second
Schedule.

- Inches, and rolling a Surface of Sixteen Inches for each Wheel, the Sum of One Halfpenny; and also for each Horse or other Beast drawing the same, the additional Sum of One Halfpenny:
- For every Waggon, Wain or other Carriage with Four or Three Wheels, and having the Wheels of the Breadth of Six Inches or upwards, and not laden with Hay or Straw bound up or sold or disposed of, or going to be sold or disposed of, the Sum of Sixpence:
- For every Waggon, Wain or other Carriage with Four or Three Wheels, and having the Wheels of the Breadth of Four Inches or upwards, but of less Breadth than Six Inches, drawn by not more than Three Horses or other Beasts, the Sum of Seven Pence Halfpenny; and also for each other Horse or Beast drawing the same, the additional Sum of One Penny:
- For every Waggon, Wain or other Carriage with Four or Three Wheels, and having the Wheels of less Breadth than Four Inches, and drawn by not more than Three Horses or other Beasts, the Sum of Nine Pence; and also for each other Horse or Beast drawing the same, the additional Sum of One Penny Halfpenny:
- For every Cart or other Two Wheel Carriage, having the Wheels of the Breadth of Sixteen Inches, with Flat Surfaces, and laden with Hay or Straw bound up or sold or disposed of, or going to be sold or disposed of, the Sum of One Penny Halfpenny:
- For every Cart or other Two Wheel Carriage, having the Wheels of the Breadth of Sixteen Inches, with Flat Surfaces, not laden with Hay or Straw bound up or sold or disposed of, or going to be sold or disposed of, and drawn by Five Horses or other Beasts, the Sum of Three Pence; and drawn by Four or Three Horses or other Beasts, the Sum of Two Pence; and drawn by Two Horses or other Beasts, or by One Horse or other Beast, the Sum of One Penny Halfpenny:
- For every Cart or other Two Wheel Carriage, having the Wheels of the Breadth of Six Inches or upwards, and laden with Hay or Straw bound up or sold or disposed of, or going to be sold or disposed of, the Sum of Two Pence Halfpenny:
- For every Cart or other Two Wheel Carriage, having the Wheels of the Breadth of Six Inches or upwards, not laden with Hay or Straw bound up or sold or disposed of, or going to be sold or disposed of, and drawn by Five Horses or other Beasts, the Sum of Four Pence Halfpenny; and drawn by Four Horses or other Beasts, the Sum of Four Pence; and drawn by Three Horses or other Beasts, the Sum of Three Pence; and drawn by Two Horses or other Beasts, or by One Horse or other Beast, the Sum of Two Pence Halfpenny:
- For every Cart or other Two Wheel Carriage, having the Wheels of the Breadth of Four Inches or upwards, but of less Breadth than Six Inches, drawn by One Horse or other Beast, the Sum of Two Pence Halfpenny; and also for each other Horse or Beast drawing the same, the additional Sum of One Penny:
- For every Cart or other Two Wheel Carriage, having the Wheels of less Breadth than Four Inches, drawn by One Horse or other Beast, the Sum of Three Pence; and also for each other Horse or Beast, drawing the same, the additional Sum of One Penny:

For

For every Horse, Mare, Gelding, Mule or Ass, laden or unladen, and not drawing, the Sum of One Penny:

For every Drove of Oxen or other Neat Cattle, the Sum of, per Score, Five Pence (and so in proportion for any greater or less Number):

For every Drove of Calves, Hogs, Sheep or Lambs, the Sum of, per Score, Two Pence Halfpenny (and so in proportion for any greater or less Number):

For every Stage Coach which shall usually carry or shall be licensed or so constructed as to carry more than Six Inside Passengers, One Half Toll in addition to the Toll to be charged thereon according to the foregoing Table. 55 G.3. c.39. § 54.

But when the said last mentioned Toll shall have been once paid at any One of the said last mentioned Gates or Bars for any Carriage, Horse or other Vehicle or Animal, the same Toll shall not be again charged during the same Day (to be computed from Midnight to Midnight) for the same Carriage, Horse or other Vehicle or Animal, on passing through any other of the said last mentioned Gates or Bars, or on repassing through the same Gate or Bar, except in the following Instances; (that is to say,)

All Stage Coaches shall be charged with the above mentioned Toll for the First Time, and again for the Second Time of passing, but not with the said Toll again during the same Day:

Every returning Post Chaise with any Person or Persons therein, passing through any of the said last mentioned Gates or Bars, shall be charged with the said last mentioned Toll as well as on going, unless a Ticket be produced denoting the said Toll to have been then already paid on that Day by the Person or Persons then in or hiring such Post Chaise: § 55.

Every Hackney Coach, Chariot or Cabriolet shall be charged with the said last mentioned Toll for every Time of passing through any of the said last mentioned Gates or Bars, unless the Person or Persons by whom the same shall for the Time being be hired shall have then already during the same Day paid the said Toll for the same, and shall produce a Ticket denoting the same, or unless such Hackney Coach, Chariot or Cabriolet shall be returning empty after having set down a Person or Persons who shall during the same Day have paid the said Toll for the same. § 56.

And in addition to the several Tolls hereinbefore mentioned, there may be levied and taken at each of the Gates and Bars erected or to be erected on or by the Side of the said Roads mentioned and described in the said Tenth Part of the said First Schedule, and called The Stamford Hill Roads, by way of Night Tolls, for all Carriages, Horses and other Vehicles and Animals passing during the Times and between the Hours hereinafter mentioned; (that is to say,) from the Twenty ninth Day of September to the Thirty first Day of October (both inclusive) between the Hours of Six in the Evening and Five in the Morning; in the Month of November, between Five in the Evening and Six in the Morning; from the First of December to the Fifteenth of January (both inclusive) between Four in the Evening and Six in the Morning; from the Sixteenth of January to the Fifteenth of February (both inclusive) between Five in the Evening and Six in the Morning; § 57.

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and from the Sixteenth of February to the Twenty fourth of March (both inclusive) between Six in the Evening and Five in the Morning, the Tolls following; (that is to say,)

For every Coach, Berlin, Landau, Landaulet, Barouche, Hearse, Chaise Marine, Chariot, Calash, Phaeton, Curricie, Chaise, Chair and other Carriage of Pleasure, with Four or Three Wheels, and drawn by Six Horses or other Beasts, the Sum of Two Shillings; and drawn by Three, Four or Five Horses or other Beasts, the Sum of One Shilling and Four Pence; and drawn by Two Horses or other Beasts, or by One Horse or other Beast, the Sum of Eight Pence:

For every Curricie, Chaise, Chair or other such like Carriage, with Two Wheels (whether such Carriage be upon Springs or not), and drawn by Two or more Horses or other Beasts, the Sum of Eight Pence; and drawn by One Horse or other Beast, the Sum of Sixpence:

For every Horse, Mare, Gelding or Mule, laden or unladen, and not drawing, the Sum of One Penny Halfpenny.

55 G.S. c.109.
§ 39.

And if the said Commissioners shall think proper to begin to watch and light any Part of the said Stamford Hill Roads before the Twenty ninth Day of September in any Year, it shall be lawful for them to appoint that the said Night Tolls shall commence on any Day between the Thirty first Day of August and the Twenty ninth Day of September, instead of the Twenty ninth Day of September, such Day not being before the Day on which the watching and lighting of the said Roads shall commence.

Old Street.

AT each of the Gates and Bars erected or to be erected on or by the Side of the Roads mentioned and described in the Eleventh Part of the said First Schedule, there may be levied and taken the Tolls following; (that is to say,)

29 G.S. c.82.
§ 2:

For every Horse, Mare, Gelding, Mule or Ass, laden or unladen, drawing or not drawing, the Sum of One Penny:

For every Drove of Oxen or Neat Cattle, the Sum of, per Score, Five Pence (and so in proportion for any greater or less Number):

For every Drove of Calves, Hogs, Sheep or Lambs, the Sum of, per Score, Two Pence Halfpenny (and so in proportion for any greater or less Number).

§ 3.

But when Toll shall have been once paid at any One of the said last mentioned Gates or Bars for any Horse or other Animal, no Toll shall be charged during the same Day (to be computed from Midnight to Midnight) for the same Horse or other Animal, on passing through any other of the said last mentioned Gates or Bars, or on returning or repassing through the same Gate or Bar:

29 G.S. c.82.
§ 5.

And no Toll shall be taken at any Side Gate or Bar which may be erected on the Road leading into Hoxton Town.

Hackney.

AT each of the Gates and Bars now erected or to be erected on or by the Side of the Roads mentioned and described in the Twelfth Part of the said First Schedule, and leading from Shore-ditch Church through Hackney to Stamford Hill, and from Hackney across Cambridge Heath, over Bethnal Green, to the

Turnpike Gate at Mile End, there may be levied and taken the Tolls following; (that is to say,)

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For every Coach, Berlin, Landau, Hearse, Chaise Marine, Chariot, Calash, Curricule, Chaise or Pleasure Cart, drawn by Six Horses, Nine Pence; by Three or Four Horses, Sixpence; by Two Horses, Four Pence: 1 & 2 G.4.
c.112. § 20.

For every Chaise, Chair or Pleasure Cart, with One or Two Horses, and Three or Four Wheels, Four Pence:

For every Chaise, Chair or Pleasure Cart, with One Horse and Two Wheels, Three Pence:

For every Waggon or Cart, Four Pence:

For every Dray with Two or more Horses, Four Pence; with One Horse, Three Pence:

For every Single Horse, from Michaelmas to Lady Day, One Penny:

For every Single Horse, from Lady Day to Michaelmas, One Penny Halfpenny:

For every Drove of Neat Cattle, per Score, Five Pence (and so in proportion for a larger or smaller Number):

For every Drove of Calves, Sheep, Lambs or Hogs, per Score, Two Pence Halfpenny (and so in proportion for a larger or smaller Number).

And at each of the Gates and Bars erected or to be erected on or by the Side of the Roads mentioned and described in the said Twelfth Part of the said First Schedule, and leading from Kingsland Green through Dalston to Church Street, there may be levied and taken the Tolls following; (that is to say,)

Hackney, con-
tinued.

For every Coach, Berlin, Landau, Hearse, Chaise Marine, Chariot, Calash, Curricule, Chaise or Pleasure Cart, drawn by Six or more Horses or other Beasts, the Sum of Ten Pence; and drawn by Three or Four Horses or other Beasts, the Sum of Seven Pence; and drawn by Two Horses or other Beasts, the Sum of Five Pence: 1 & 2 G.4.
c.112. § 20.

For every Chaise, Chair or Pleasure Cart, drawn by One or Two Horses or other Beasts, and with Three or Four Wheels, the Sum of Five Pence:

For every Chaise, Chair or Pleasure Cart, drawn by One Horse or other Beast, and with Two Wheels, the Sum of Four Pence:

For every Waggon or Cart, drawn by One Horse or other Beast, and with Two Wheels, the Sum of Five Pence:

For every Dray, drawn by Two or more Horses or other Beasts, the Sum of Five Pence; and drawn by One Horse or other Beast, the Sum of Four Pence:

For every Single Horse, from Michaelmas Day to Lady Day (Michaelmas Day inclusive), the Sum of One Penny Halfpenny:

For every Single Horse, from Lady Day to Michaelmas Day (Lady Day inclusive), the Sum of Two Pence:

For every Drove of Oxen, Cows or Neat Cattle, a Sum not exceeding, per Score, Sixpence (and so in proportion for any greater or less Number):

For every Drove of Calves, Pigs, Sheep or Lambs, a Sum not exceeding, per Score, Three Pence (and so in proportion for any greater or less Number).

Second
Schedule.

1 & 2 G.4.
c.112. § 23.

But when Toll shall have been once paid at any One of the Gates or Bars erected or to be erected on or by the Side of the said Roads mentioned and described in the said Twelfth Part of the said First Schedule, for any Carriage, Horse or other Vehicle or Animal, no Toll shall be charged during the same Day (to be computed from Midnight to Midnight) for the same Carriage, Horse or other Vehicle or Animal, on passing through any other Gate or Bar erected or to be erected on or by the Side of any of the said Roads, or on returning or repassing through the same Gate or Bar, except in the following Instances; (that is to say,)

§ 24. Every Person who shall have paid Toll as aforesaid at any Gate or Bar erected or to be erected on or by the Side of the said Roads leading from Shoreditch Church to Stamford Hill, and from Hackney to Mile End, for any Carriage, Horse or other Vehicle or Animal, shall pay for the same at the first Gate or Bar which he shall pass through therewith, on or by the Side of the said Road from Kingsland Green to Church Street, the further Sum of One Penny:

§ 25. All Persons passing with any Horse or Beast drawing any Waggon, Cart or other Carriage laden with Bricks, Tiles, Stones, Lime or Coals, Breeze, Soil, Sand or Ashes for making or burning Bricks or Tiles, or laden with Timber wrought or unwrought, shall pay Toll for every Time of passing with any Waggon, Cart or Carriage so laden on any Part of the said Roads, but shall not pay for returning or repassing with such Waggon, Cart or Carriage, if unladen, nor for returning the First Time in each Day laden, in case the Toll shall have been previously paid on the same Day for such Horse, Beast, Waggon, Cart or Carriage going to fetch any such Bricks, Tiles, Stones, Lime, Coals, Breeze, Soil, Sand, Ashes or Timber.

§ 21. And in addition to the several Tolls hereinbefore mentioned, there shall, at each of the Gates and Bars erected or to be erected on or by the Side of the said Roads from Shoreditch Church to Stamford Hill, be levied and taken from every Twenty ninth Day of September to the Twenty fifth Day of March then next (both Days inclusive), by way of Night Tolls, for all Carriages, Horses and other Vehicles and Animals, passing between the Hours of Five in the Evening and Seven in the Morning, the Tolls following; (that is to say,)

For every Coach, Berlin, Landau, Hearse, Chaise Marine, Chariot, Calash, Curricule, Chaise, Chair, Pleasure Cart or any other Carriage (except Waggon, Wains, Carts and Drays used for Husbandry and Carriage of Goods, and not for Pleasure,) drawn by Six Horses or other Cattle, the Sum of Four Pence Halfpenny; and drawn by Three or Four Horses or other Cattle, the Sum of Three Pence; and drawn by Two Horses or other Cattle, the Sum of Two Pence:

For every Chaise, Chair or Pleasure Cart with Two Wheels, drawn by One Horse or other Cattle, the Sum of One Penny Halfpenny; and for every Chaise, Chair or Pleasure Cart with Three or Four Wheels, drawn by One or Two Horses or other Cattle, the Sum of Two Pence; and for every Horse or Mule, laden or unladen, and not drawing, the Sum of One Halfpenny.

But

But when the said Night Toll shall have been once paid at any One of the said last mentioned Gates or Bars for any Carriage, Horse or other Vehicle or Animal, the same shall not be again charged during the same Night for the same Carriage, Horse or other Vehicle or Animal, on passing through any other of the said last mentioned Gates or Bars, or on returning or repassing through the same Gate or Bar.

Second
Schedule.

1 & 2 G. 4.
c. 112. § 23.

AT each of the Gates and Bars erected or to be erected on the **Lea Bridge.** Bridge, and on or by the Side of the Roads mentioned and described in the Fifteenth Part of the said First Schedule, there may be levied and taken the Tolls following; (that is to say,)

For every Coach, Chariot, Landau, Berlin, Chaise, Chair, Calash or other Vehicle whatsoever, drawn by Six Horses or other Cattle, the Sum of Two Shillings; by Four Horses or other Cattle, the Sum of One Shilling and Sixpence; and by Two or Three Horses or other Cattle, the Sum of One Shilling:

For every Chaise, Chair, Calash or other Vehicle whatsoever, drawn by One Horse, the Sum of Sixpence:

For every Waggon, Wain, Dray, Car, Cart or such like Carriage, the Wheels whereof shall be under the Breadth of Six Inches, the Sum of, for every Wheel, Three Pence:

For every Horse or other Cattle drawing the same, One Penny:

For every Waggon, Wain, Dray, Car, Cart or such like Carriage, the Wheels whereof shall be of the Breadth of Six Inches or upwards, the Sum of, for every Wheel, One Penny:

For every Horse or other Cattle drawing the same, One Penny:

For every Horse, Mule or Ass, not drawing, the Sum of Two Pence:

For every Foot Passenger passing the said Bridge, One Halfpenny:

For every Drove of Oxen or Neat Cattle, the Sum of, per Score, One Shilling and Eight Pence (and after that Rate for any greater or less Number):

For every Drove of Calves, Hogs, Sheep or Lambs, the Sum of, per Score, Ten Pence (and after that Rate for a greater or less Number).

But no Toll shall be levied or taken at any of the said last mentioned Gates or Bars, for any Waggon, Horse or other Vehicle or Animal, which shall be employed or used in the carrying away any Grass or Hay from the Marsh called Walthamstow Marsh or Low Layton Marsh, which shall have been mown or made therein, and not sold or disposed of, but passing to be laid up in the Out-houses, Barns, Yards or Grounds of the Owners thereof, nor for any Horses, Mares, Geldings, Cows or other Cattle whatsoever, going over the said Bridge or through any of the said Gates or Bars to the said Marsh, for the Purpose of depasturing there only or returning from the same; nor for any Person or Persons leading or driving any of the said Carriages or Cattle to or from the said Marsh; nor from any Person or Persons being the Occupier or Occupiers of the House on the said Marsh, near the Place formerly called Jeremy's Ferry, or his, her or their known Servant or Servants; and when Toll shall have been once paid at any One of the said last mentioned Gates or Bars, for any Carriage, Horse or other Vehicle or Animal, no Toll shall be charged during the same Day (to be computed from Midnight to Midnight) for the

§ 6.

30 G. 2. c. 59.
§ 11.

of *York*, and for dividing the same from the Fee Simple Estates of the late *Joseph Windham* Esquire, situate in the Parish of *Waghen* aforesaid. [26th May 1826.]

Cap. 28.

17 G.3. Pr.
c.57.
54 G.3.
c.cxxxi.

An Act for amending and enlarging the Powers of an Act of the Seventeenth Year of the Reign of His late Majesty King *George* the Third, and of another Act of the Fifty fourth Year of the Reign of the same King, for enabling the Feoffees and Trustees of an Estate in the County of *Middlesex*, given by *Lawrence Sheriff* for the founding and maintaining a School and Alms-houses at *Rugby* in the County of *Warwick*, to sell Part of the said Estate, or to grant Leases thereof, and for other Purposes. [26th May 1826.]

Cap. 29.

An Act for the better Management and Disposition of the Estates given by Sir *William Harpur* Knight, and Dame *Alice* his Wife, for a free and perpetual School in the Town of *Bedford*, and other Purposes, and of the Rents and Profits thereof. [26th May 1826.]

Cap. 30.

An Act for carrying into Effect an Exchange of the Lands and Estate of *Alves Kirkton*, situated in the Shire of *Elgin* and *Forres*, belonging to His Grace *Alexander* Duke of *Gordon*, for certain entailed Salmon Fishings in the River *Spey*, of the Right Honourable *Francis* Earl of *Moray*, situated in the same Shire. [26th May 1826.]

Cap. 31.

An Act for vesting certain Messuages, Cottage Gardens and other Premises, (being Parts of the Estates of the Feoffees in Trust for the Benefit of the Inhabitants of *Melton Mowbray* in the County of *Leicester*.) in Trustees, to be sold, and for laying out the Purchase Monies in the Purchase of other Estates, to be vested in the same Feoffees upon the same Trusts. [26th May 1826.]

Cap. 32.

An Act for dissolving a certain Partnership Company known by the Name of "The Genuine Beer Brewery," and for enabling the Directors and Trustees thereof to dispose of the Estates and Effects of the Concern, and divide the Surplus, after Payment of Debts and Expences, amongst the Shareholders of the Capital Stock therein, and other Purposes. [26th May 1826.]

Cap. 33.

An Act for vesting the Settled Estates of *Samuel Ellis Bristowe* Esquire, situate in the County of *Derby*, and certain Parts of his Settled Estates in the County of *Nottingham*, in Trust, to be sold; and for laying out the Purchase Money in other Estates, to be settled to the same Uses. [26th May 1826.]

Cap. 34.

An Act for vesting the Fee of certain Settled Estates, late of *Ann Elizabeth Meyrick* deceased, situate in the Counties of *Devon, Dorset* and *Wilts*, in Trustees, upon Trust to sell, and apply the Purchase Monies in discharging certain Incumbrances.

[26th May 1826.]

Cap. 35.

An Act for enabling the Prebendary of the Prebend of *Wenlock's Barn* to purchase, for the Benefit of himself and his Successors, the Hereditaments comprised in a certain Indenture of Lease, for the Residue of the Term thereby demised; and to grant Building Leases of the same Hereditaments; and for other Purposes.

[26th May 1826.]

Cap. 36.

An Act to confirm a Contract entered into for granting Sub Leases for building on Lands within the Manor of *Brownwood* in the County of *Middlesex*, Parcel of the Prebend of *Brownwood*, founded in the Cathedral Church of *Saint Paul* in *London*; and to enlarge the Powers of an Act passed in the Second Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act to enable the Prebendary of the Prebend of Brownwood in the County of Middlesex, founded in the Cathedral Church of Saint Paul in London, to grant a Lease of the Manor of Brownwood in the said County, Parcel of the said Prebend, in manner therein mentioned, and to enable the granting of Sub Leases for building thereon, and otherwise improving the same, and for other Purposes*; and to amend the same Act; and to authorize the Redemption of the Land Tax payable in respect of the, said Manor, and the Lands and Hereditaments within the same; and for other Purposes.

1 & 2 G.4. Pr.
c. 44.

[26th May 1826.]

Cap. 37.

An Act for empowering the Trustees under the Will of *Samuel Rhodes* Esquire, deceased, to grant Building Leases, and for other Purposes.

[26th May 1826.]

Cap. 38.

An Act for confirming certain Articles of Agreement between the Reverend *Henry Wise* and *Thomas Cubitt*, and for authorizing the granting of Building Leases of Ground in the Parishes of *Saint George Hanover Square* and *Saint John the Evangelist Westminster*, pursuant to the said Articles; and for other Purposes.

[26th May 1826.]

Cap. 39.

An Act for enabling Trustees to sell, under the Authority of the Court of Chancery, the Real Estates devised by the Will and Codicils of *William Powlett Powlett* Esquire, deceased, for the Purpose of raising Money to discharge the Debts and Incumbrances affecting the same Estates.

[26th May 1826.]

Cap. 40.

An Act for establishing certain Leases granted by *George Cary Esquire*, of certain Lands and Hereditaments situate and being in the several Parishes of *Tormohan* and *Saint Mary Church*, in the County of *Devon*, Parcel of his Settled Estates; and to enable him to grant Leases of other Parts of his said Settled Estates; and for other Purposes therein mentioned.

[26th May 1826.]

Cap. 41.

An Act for effecting a Sale of Part of the Glebe Lands belonging to the Rectory of *Kingswinford* otherwise *Swynford Regis* in the County of *Stafford*, and the Mines in and under the same, to the Right Honourable *John William Viscount Dudley and Ward*; and for other Purposes.

[26th May 1826.]

Cap. 42.

An Act for vesting in a Trustee the legal Estate in Fee Simple of divers Messuages, Lands, Tenements and other Hereditaments, mortgaged and conveyed in Trust to *James Crummer Esquire*, deceased.

[26th May 1826.]

Cap. 43.

An Act for dividing, allotting and otherwise improving Lands in the Parish of *Felpham* in the County of *Sussex*.

[28th May 1826.]

[No Exchange of Church Lands to be made without Consent of Patron and Bishop of Diocese, § 21.]

Cap. 44.

An Act for inclosing Lands in the Parish of *Foxton* in the County of *Cambridge*.

[26th May 1826.]

[Allotments to Impropiator and Vicar in lieu of Glebe and Right of Common, § 25. Which Allotments may be leased with Consent of the Ordinary and Patron, § 26. Such Allotments to be fenced, § 27. No Exchange to be made of Church Lands without Consent of Patron and Bishop of Diocese, § 35.]

Cap. 45.

An Act for dividing, allotting and inclosing, and exonerating from Average Rents, and enfranchising, certain Copyhold and Leasehold Lands within the Township and Parish of *Ripon* in the County of *York*.

[26th May 1826.]

[No Exchange of Church Lands to be made without Consent of Patron and Bishop of Diocese, § 51.]

Cap. 46.

An Act for vesting *Pedlar's Acre* Estate, situate in the Parish of *Saint Mary Lambeth* in the County of *Surrey*, in Trustees, for letting the same, and for applying the Produce thereof according to the Directions of the Vestry of the said Parish.

[31st May 1826.]

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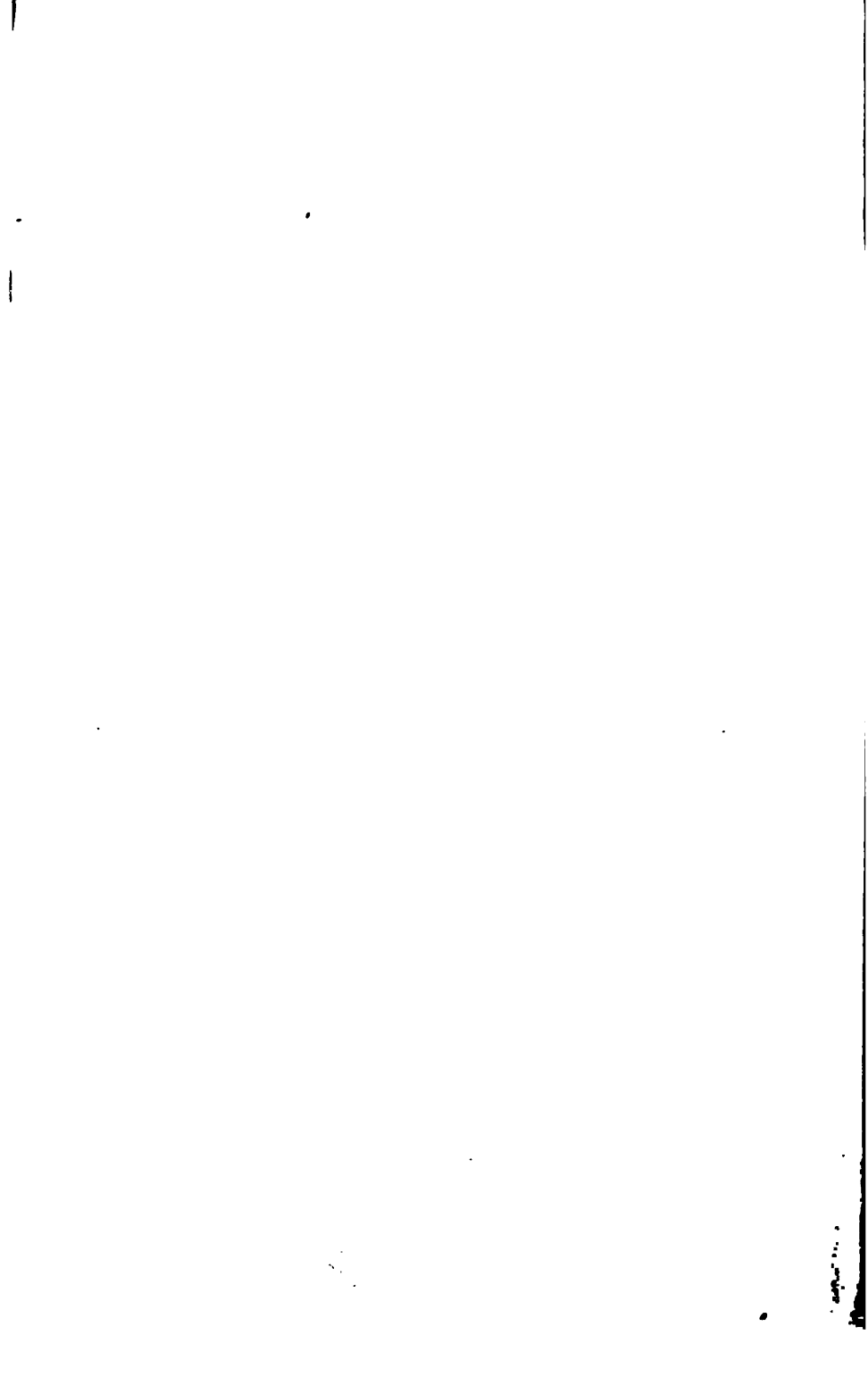
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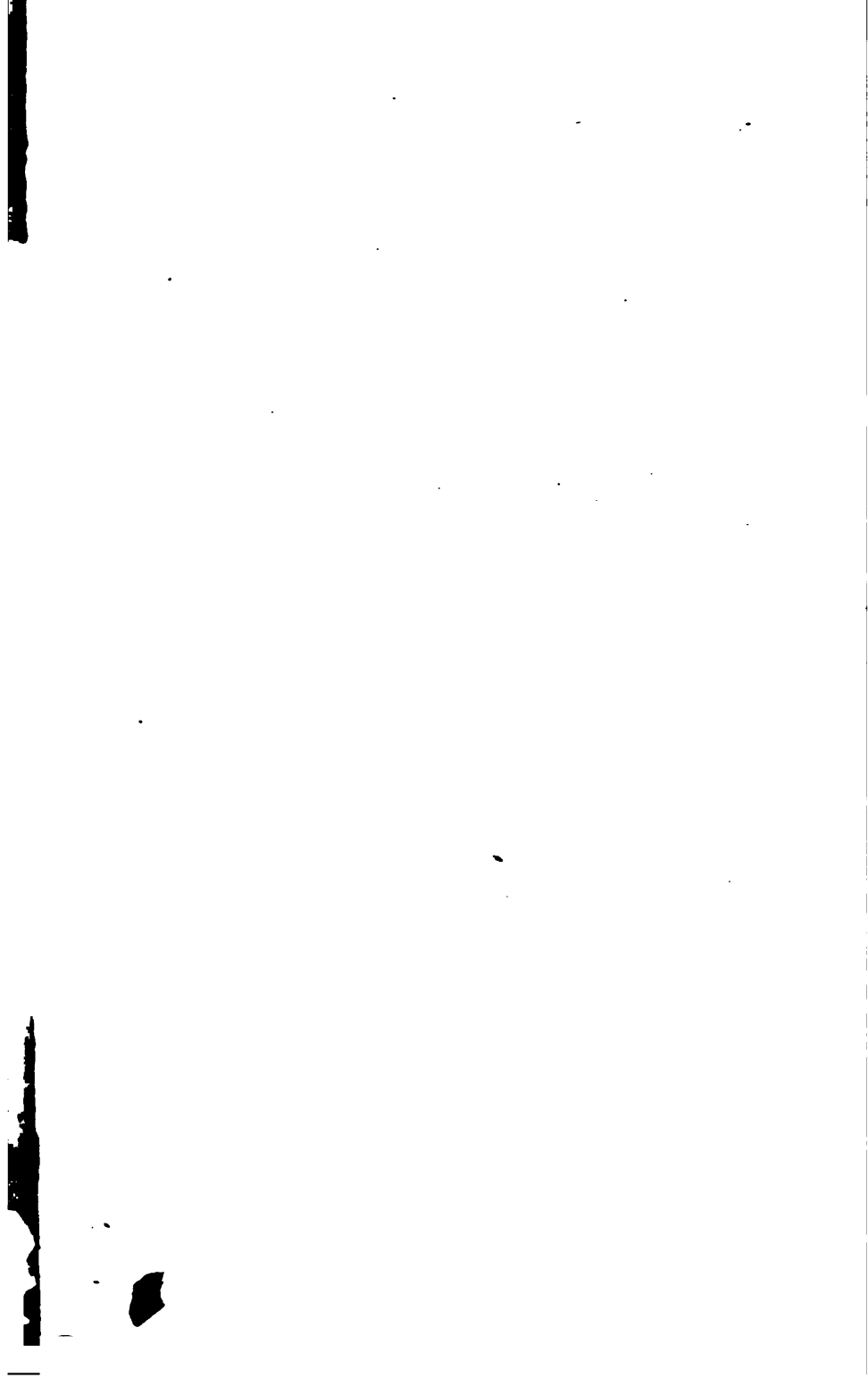
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